

Volume 28, Number 22  
Pages 1979-2080  
November 17, 2003



**MATT BLUNT**

**SECRETARY OF STATE**

# MISSOURI REGISTER

The *Missouri Register* is an official publication of the state of Missouri, under the authority granted to the secretary of state by sections 536.015 and 536.033, RSMo 2000. Reproduction of rules is allowed; however, no reproduction shall bear the name *Missouri Register* or “official” without the express permission of the secretary of state.

The *Missouri Register* is published semi-monthly by

**SECRETARY OF STATE**

**MATT T BLUNT**

**Administrative Rules Division**

James C. Kirkpatrick State Information Center  
600 W. Main  
Jefferson City, MO 65101  
(573) 751-4015

**DIRECTOR**

LYNNE C. ANGLE

•

**EDITORS**

BARBARA MCDUGAL

JAMES MCCLURE

•

**ASSOCIATE EDITORS**

CURTIS W. TREAT

SALLY L. REID

TIFFANY M. DAVIS

**PUBLISHING STAFF**

WILBUR HIGHBARGER

HEATHER M. DOWNS

ISSN 0149-2942, USPS 320-630; periodical postage paid at Jefferson City, MO  
Subscription fee: \$56.00 per year

POSTMASTER: Send change of address notices and undelivered copies to:

**MISSOURI REGISTER**  
**Office of the Secretary of State**  
**Administrative Rules Division**  
**PO Box 1767**  
**Jefferson City, MO 65102**

The *Missouri Register* and *Code of State Regulations* (CSR) are now available on the Internet. The Register address is <http://www.sos.mo.gov/adrules/moreg/moreg.asp> and the CSR is <http://www.sos.mo.gov/adrules/csr/csr.asp>. These web sites contain rulemakings and regulations as they appear in the Registers and CSR. These web sites do not contain the official copies of the Registers and CSR. The official copies remain the paper copies published by the Office of the Secretary of State pursuant to sections 536.015 and 536.031, RSMo 2000. While every attempt has been made to ensure accuracy and reliability, the Registers and CSR are presented, to the greatest extent practicable as they appear in the official publications. The Administrative Rules Division may be contacted by e-mail at [rules@sosmail.state.mo.us](mailto:rules@sosmail.state.mo.us).

The secretary of state's office makes every effort to provide program accessibility to all citizens without regard to disability. If you desire this publication in alternate form because of a disability, please contact the Division of Administrative Rules, PO Box 1767, Jefferson City, MO 65102, (573) 751-4015. Hearing impaired citizens should contact the director through Missouri relay, (800) 735-2966.



## IN THIS ISSUE:

### EMERGENCY RULES

<b>Office of Administration</b>	
Division of Facilities Management	1983
<b>Department of Social Services</b>	
Division of Medical Services	1985
<b>Elected Officials</b>	
Secretary of State	1985
<b>Department of Health and Senior Services</b>	
Division of Health Standards and Licensure	1986

### EXECUTIVE ORDERS

### PROPOSED RULES

<b>Office of Administration</b>	
Division of Facilities Management	1990
<b>Department of Conservation</b>	
Conservation Commission	1995
<b>Department of Economic Development</b>	
Public Service Commission	2028
<b>Department of Labor and Industrial Relations</b>	
Division of Labor Standards	2030
<b>Department of Revenue</b>	
Director of Revenue	2032
<b>Elected Officials</b>	
Secretary of State	2034
<b>Department of Health and Senior Services</b>	
Division of Health Standards and Licensure	2042

### ORDERS OF RULEMAKING

<b>Department of Agriculture</b>	
Animal Health	2046
<b>Department of Conservation</b>	
Conservation Commission	2046

### Department of Economic Development

State Committee of Dietitians	2046
State Board of Registration for the Healing Arts	2047
State Board of Nursing	2047
Division of Professional Registration	2047

### Department of Elementary and Secondary Education

Division of Administrative and Financial Services	2048
Vocational and Adult Education	2048

### Department of Transportation

Missouri Highways and Transportation Commission	2048
---	------

### Department of Mental Health

Director, Department of Mental Health	2048
Fiscal Management	2049
Certification Standards	2050

### Department of Revenue

Director of Revenue	2050
---------------------	------

### Department of Health and Senior Services

Office of the Director	2053
------------------------	------

### IN ADDITIONS

### Department of Economic Development

Division of Credit Unions	2057
---------------------------	------

### Department of Health and Senior Services

Missouri Health Facilities Review Committee	2057
---	------

### DISSOLUTIONS

### SOURCE GUIDES

<b>RULE CHANGES SINCE UPDATE</b>	2059
<b>EMERGENCY RULES IN EFFECT</b>	2066
<b>EXECUTIVE ORDERS</b>	2069
<b>REGISTER INDEX</b>	2070

Register Filing Deadlines	Register Publication Date	Code Publication Date	Code Effective Date
August 1, 2003 August 15, 2003	September 2, 2003 September 15, 2003	September 30, 2003 September 30, 2003	October 30, 2003 October 30, 2003
September 2, 2003 September 15, 2003	October 1, 2003 October 15, 2003	October 31, 2003 October 31, 2003	November 30, 2003 November 30, 2003
October 1, 2003 October 15, 2003	November 3, 2003 November 17, 2003	November 30, 2003 November 30, 2003	December 30, 2003 December 30, 2003
November 3, 2003 November 17, 2003	December 1, 2003 December 15, 2003	December 31, 2003 December 31, 2003	January 30, 2004 January 30, 2004
December 1, 2003 December 15, 2003	January 2, 2004 January 15, 2004	January 30, 2004 January 30, 2004	February 29, 2004 February 29, 2004
January 2, 2004 January 15, 2004	February 2, 2004 February 17, 2004	February 29, 2004 February 29, 2004	March 30, 2004 March 30, 2004
February 2, 2004 February 17, 2004	March 1, 2004 March 15, 2004	March 31, 2004 March 31, 2004	April 30, 2004 April 30, 2004
March 1, 2004 March 15, 2004	April 1, 2004 April 15, 2004	April 30, 2004 April 30, 2004	May 30, 2004 May 30, 2004

Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at <http://www.sos.mo.gov/adrules/pubsched.asp>

# Missouri Depository Libraries

The *Missouri Register* and the *Code of State Regulations*, as required by the Missouri Depository Documents Law (section 181.100, RSMo 2000), are available in the listed depository libraries, as selected by the Missouri State Library:

Jefferson County Library PO Box 1486, 3021 High Ridge High Ridge, MO 63049-1486 (314) 677-8689	Learning Resources Center Mineral Area College PO Box 1000 Park Hills, MO 63601-1000 (573) 431-4593	Missouri Western State College Hearnes Learning Resources Ctr. 4525 Downs Drive St. Joseph, MO 64507-2294 (816) 271-5802	Library University of Missouri-Rolla 1870 Miner Circle Rolla, MO 65409-0060 (573) 341-4007
Jefferson College Library 1000 Viking Drive Hillsboro, MO 63050-2441 (314) 789-3951 ext. 160	Cape Girardeau Public Library 711 N. Clark Cape Girardeau, MO 63701-4400 (573) 334-5279	Library North Central Missouri College PO Box 111, 1301 Main Street Trenton, MO 64683-0107 (660) 359-3948 ext. 325	Lebanon-Laclede County Library 135 Harwood Ave. Lebanon, MO 65536-3017 (417) 532-2148
St. Louis Public Library 1301 Olive St. St. Louis, MO 63103-2389 (314) 539-0376	Kent Library Southeast Missouri State University One University Plaza Cape Girardeau, MO 63701-4799 (573) 651-2757	Missouri Southern State University Spiva Library 3950 East Newman Road Joplin, MO 64801-1595 (417) 625-9342	University Library Southwest Baptist University 1600 University Ave. Bolivar, MO 65613-2597 (417) 328-1631
St. Louis University Law Library 3700 Lindell Blvd. St. Louis, MO 63108-3478 (314) 977-2742	Riverside Regional Library PO Box 389, 204 South Union St. Jackson, MO 63755-0389 (573) 243-8141	Missouri State Library 600 West Main, PO Box 387 Jefferson City, MO 65102-0387 (573) 751-3615	Barry-Lawrence Regional Library 213 6th St. Monett, MO 65708-2147 (417) 235-6646
Eden Theological Seminary/ Webster University Eden/Webster Library 475 East Lockwood Ave. St. Louis, MO 63119-3192 (314) 961-2660 ext. 7812	Rutland Library Three Rivers Community College 2080 Three Rivers Blvd. Poplar Bluff, MO 63901-2393 (573) 840-9656	Missouri State Archives 600 West Main, PO Box 778 Jefferson City, MO 65102-0778 (573) 526-6711	Lyons Memorial Library College of the Ozarks General Delivery Point Lookout, MO 65726-9999 (417) 334-6411 ext. 3551
Thomas Jefferson Library University of Missouri-St. Louis 8001 Natural Bridge Road St. Louis, MO 63121-4499 (314) 516-5084	James C. Kirkpatrick Library Central Missouri State University 142 Edwards Library Warrensburg, MO 64093-5020 (660) 543-4149	Elmer Ellis Library University of Missouri-Columbia 106 B Ellis Library Columbia, MO 65211-5149 (573) 882-0748	Garnett Library Southwest Missouri State University 304 Cleveland West Plains, MO 65775-3414 (417) 255-7945
Washington University Washington University Law Library Campus Box 1171, Mudd Bldg., One Brookings Dr. St. Louis, MO 63130-4899 (314) 935-6443	Kansas City Public Library 311 East 12th St. Kansas City, MO 64106-2454 (816) 701-3546	Library State Historical Society of Missouri 1020 Lowry St. Columbia, MO 65211-7298 (573) 882-9369	Springfield-Greene County Library 4653 S. Campbell Springfield, MO 65801-0760 (417) 874-8110
St. Louis County Library 1640 S. Lindbergh Blvd. St. Louis, MO 63131-3598 (314) 994-3300 ext. 247	Law Library University of Missouri-Kansas City 5100 Rockhill Road Kansas City, MO 64110-2499 (816) 235-2438	Daniel Boone Regional Library PO Box 1267, 100 West Broadway Columbia, MO 65205-1267 (573) 443-3161 ext. 359	Meyer Library Southwest Missouri State University PO Box 175, 901 S. National Springfield, MO 65804-0095 (417) 836-4533
Maryville University Library 13550 Conway Road St. Louis, MO 63141-7232 (314) 529-9494	University of Missouri-Kansas City Miller Nichols Library 5100 Rockhill Road Kansas City, MO 64110-2499 (816) 235-2438	School of Law University of Missouri-Columbia 224 Hulston Hall Columbia, MO 65211-0001 (573) 882-1125	
St. Charles City-County Library Middendorf-Kredell Branch 2750 Hwy K O'Fallon, MO 63366-7859 (636) 978-7997	B.D. Owens Library Northwest Missouri State University 800 University Drive Maryville, MO 64468-6001 (660) 562-1841	Central Methodist College Smiley Memorial Library 411 Central Methodist Square Fayette, MO 65248-1198 (660) 248-6279	
Truman State University Pickler Memorial Library 100 E. Normal Kirksville, MO 63501-4221 (660) 785-7416	St. Joseph Public Library 927 Felix Street St. Joseph, MO 64501-2799 (816) 232-8151		

## HOW TO CITE RULES AND RSMo

**RULES**—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

**RSMo**—The most recent version of the statute containing the section number and the date.

**R**ules appearing under this heading are filed under the authority granted by section 536.025, RSMo 2000. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons and findings which support its conclusion that there is an immediate danger to the public health, safety or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

**R**ules filed as emergency rules may be effective not less than ten (10) days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

**A**ll emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

## Title 1—OFFICE OF ADMINISTRATION Division 35—Division of Facilities Management Chapter 1—Facility Maintenance and Operation

### EMERGENCY AMENDMENT

**1 CSR 35-1.050 Public Use of State Facilities.** The Office of Administration is amending paragraphs (1)(D)1., (1)(D)2., (1)(D)3., (2)(B)9., and (4)(A)12., and adding a new section (5).

***PURPOSE:** This rule preserves a prohibition against carrying firearms or any other weapon readily capable of lethal use into certain state facilities. Exceptions are provided for law enforcement officers and other specific public officials acting in their official capacities.*

***EMERGENCY STATEMENT:** For the purpose of immediately meeting and preserving a compelling governmental interest in prohibiting firearms or any other weapon readily capable of lethal use from state facilities, the Office of Administration, including the Division of Facilities Management, provides the following rule to ensure that state facilities are safe and secure. The rule requires an early effective date to protect public health, safety or welfare. A proposed amendment, which covers the same material, is published in this issue of the *Missouri Register*. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri* and *United States**

***Constitutions.** The Office of Administration believes this emergency amendment is fair to all interested parties under the circumstances. This emergency amendment was filed October 9, 2003, effective October 19, 2003 and expires April 15, 2004.*

#### (1) Facilities Subject to this Rule; Definitions.

##### (D) Other Public Buildings and Grounds.

1. As used in this rule, the term "other public buildings and grounds" means all property, except the Capitol Building and grounds, and except the Governor's Mansion and its grounds, which is owned, leased or occupied by an agency of the state of Missouri [and is managed by the Office of Administration, Division of Facilities Management].

2. It includes, but is not limited to, the following: the Jefferson Building, the Broadway Building, the Supreme Court Building, the Environmental Control Center, the Harry S Truman Office Building, the E.D.P. Building, the Health Lab, and the Missouri State Information Center, all in Jefferson City; the Wainwright State Office Building and the Midtown State Office Building in St. Louis; the Kansas City State Office Building; the St. Joseph State Office Building; the Springfield State Office Complex; and all parking lots or parking structures on the said sites [which are managed by the Division of Facilities Management]. Drawings showing the property lines of these sites are included as Appendix A to this rule.

3. In the case of multi-tenant buildings, the term "other public buildings and grounds" includes only the offices occupied by agencies of the state of Missouri and those portions of the common areas [that are controlled by state agencies].

#### (2) Public Use of Other Public Buildings and Grounds Occupied by State Agencies.

(B) Prohibited Activities. The following activities and conditions are not permitted in the common areas of any of the other public buildings and grounds which are occupied by a state agency:

1. Purely private social events, such as weddings, regardless of the type or content;

2. Commercial activities, including soliciting the sale of any goods or services and any other activities undertaken for the primary purpose of obtaining a financial return for the benefit of an individual or organization, whether organized for profit or not; except that this paragraph shall not prohibit vendors from soliciting state employees for the purpose of effecting sales of the vendors' products or services, if the products or services are offered to the state, or if they are offered to employees through a state-sponsored program;

3. Solicitation of any kind, including the solicitation of contributions, gifts or donations, the solicitation of signatures on petitions, and the solicitation of support for any political candidate or cause, except as otherwise specifically authorized in this rule;

4. The distribution of any leaflets or other materials, except for such materials as are distributed by the facility manager, and except that certified employee bargaining units may distribute written materials in the common areas of the buildings where the members of their unit are employed, if authorized by the facility manager to do so;

5. Any activity that obstructs the free ingress or egress of those wishing to enter or leave the public building;

6. A sound level, noise, or any other activity that disrupts the business of government in the public building;

7. Camping, including the use of the grounds for living accommodation purposes such as sleeping activities, making preparations for sleeping activities, making preparations to sleep (including the placement of bedding for the purpose of sleeping), storing personal belongings, making any fire, using any tents or other shelters for sleeping, doing any digging or earth-breaking or carrying on cooking activities;

8. The service or consumption of alcoholic beverages;



9. Guns or weapons of any kind, except as authorized *[by law]* in section (5) of this rule;

10. Wood, metal or plastic poles or standards shall not be used to support signs or banners and shall not be brought into the public building or onto the grounds;

11. Any other activity that presents a significant likelihood of damage to the public building; or

12. Any activity that is a violation of federal, state or local law.

(4) Public Use of the Capitol Building and Grounds.

(A) The following activities and conditions are not permitted in or about the Capitol Building and grounds, as defined in section (1) of this rule:

1. Purely private social events, such as weddings, regardless of the type or content;

2. The service or consumption of alcoholic beverages, except as provided in paragraph (4)(A)3.;

3. Box lunches, buffet style or "sit down" food service, or any other service of food or beverage is prohibited in the rotunda, except that the service of food and beverage, including alcoholic beverages, is permitted if it is part of a state government function and is approved by the Board of Public Buildings. The service of food or beverage on the Capitol grounds is prohibited unless approved by the facility manager and the food or beverage is served without charge;

4. In order to minimize damage to the rotunda floor, dance events, including demonstrations such as clogging, square dancing and other such activity, are prohibited in the rotunda, unless the events are part of a state government function and are approved by the Board of Public Buildings;

5. Commercial activities, including the sale of any goods or services and any other activities undertaken for the primary purpose of obtaining a financial return for the benefit of an individual or organization, whether organized for profit or not, except as otherwise authorized in this rule;

6. The solicitation of contributions, gifts or donations is prohibited in all common areas of the Capitol Building, and the distribution of leaflets or other materials and all other forms of solicitation, including solicitation of support for any political candidate or cause is prohibited in all common areas of the Capitol Building except the rotunda and the south steps.

7. Making any speech or conducting any organized activity involving two (2) or more persons without first obtaining a permit from the facility manager, or distributing leaflets or other materials which have not been provided to the facility manager in conjunction with an application for a permit, or leaving leaflets or other materials unattended;

8. Any activity that obstructs the free ingress or egress of those wishing to enter or leave the rotunda or other portions of the Capitol;

9. A sound level, noise, or any other activity that disrupts the business of government in the Capitol;

10. The use of balloons of any kind in the rotunda;

11. Smoking in any of the common areas inside the Capitol Building, except in those areas that have specifically been designated as "smoking areas";

12. Guns or weapons of any kind, except as authorized *[by law]* in section (5) of this rule;

13. The use, in the rotunda, of lighted candles or other devices which produce flames;

14. Signs, banners and like material shall not be fastened in any way to the walls, surfaces, or railing surrounding the rotunda. Wood, metal or plastic poles or standards shall not be used to support signs or banners and shall not be brought onto the Capitol grounds. Signs displayed during an activity shall not contain any obscene words or symbols;

15. Any other activity that presents a significant likelihood of damage to the rotunda or other portions of the Capitol;

16. Camping, as previously defined in this rule; and

17. Any activity that is a violation of federal, state or local law.

(5) Weapons Capable of Lethal Use Prohibited; Exceptions.

(A) Carrying a firearm or any other weapon readily capable of lethal use into the Capitol Building and grounds as defined in subsection (1)(B), the offices in the Capitol Building occupied by the Governor and Governor's administration, the offices in the Capitol Building of the Lieutenant Governor, the offices in the Capitol Building of the State Auditor, the offices in the Capitol Building of the State Treasurer, any other building and grounds as defined in subsection (1)(D), or the Governor's Mansion and grounds, is prohibited. This prohibition shall not apply to state and federal law enforcement officers, peace officers, probation and parole officers, wardens and superintendents of prisons or penitentiaries, members of the armed forces and national guard, persons vested with judicial authority by the state or federal court, and members of the state General Assembly, acting in their official capacity. Possession of a firearm by a person holding a valid state concealed carry endorsement in a vehicle located in a parking area upon the premises of any area referenced in this rule shall not be prohibited so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises.

*AUTHORITY: sections 8.110, 8.320, [RSMo 1994 and] 34.030, 37.005, 536.023.3, and 536.025, RSMo [Supp. 1997] 2000. Original rule filed April 23, 1998, effective Nov. 30, 1998. Emergency amendment filed Oct. 9, 2003, effective Oct. 19, 2003, expires April 15, 2004. A proposed amendment covering this same material is published in this issue of the Missouri Register.*

## Title 1—OFFICE OF ADMINISTRATION Division 35—Division of Facilities Management Chapter 2—Leasing

### EMERGENCY AMENDMENT

**1 CSR 35-2.030 Administration of the Leasing Process.** The Office of Administration is adding a new section (4).

*PURPOSE: This amendment preserves a prohibition against carrying firearms or any other weapon readily capable of lethal use into real property leased by the state under the authority of the Office of Administration. Exceptions are provided for law enforcement officers and other specific public officials acting in their official capacities.*

*EMERGENCY STATEMENT: For the purpose of immediately meeting and preserving a compelling governmental interest in prohibiting firearms or any other weapon readily capable of lethal use from real property leased by the state under the authority of the Office of Administration (hereinafter "O.A."), O.A. provides the following rule to ensure that state facilities are safe and secure. The rule requires an early effective date to protect public health, safety or welfare. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The Office of Administration believes this emergency amendment is fair to all interested parties under the circumstances. This emergency amendment was filed October 9, 2003, effective October 19, 2003 and expires April 15, 2004.*

(4) All leases entered into by the Office of Administration shall prohibit carrying a firearm or other weapon readily capable of lethal use into the leased premises. This prohibition shall not apply to state and federal law enforcement officers, peace officers, probation and parole officers, wardens and superintendents of prisons or penitentiaries, members of the armed forces and national guard, persons vested with judicial authority by the state or federal court, and members of the state General

Assembly, acting in their official capacity. Possession of a firearm by a person holding a valid state concealed carry endorsement in a vehicle located in a parking area upon the premises of any area referenced in this rule shall not be prohibited so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises.

*AUTHORITY: sections 8.110, 8.320, 34.030, 37.005, 536.023.3, and 536.025, RSMo [1998] 2000. Original rule filed April 15, 1998, effective Nov. 30, 1998. Emergency amendment filed Oct. 9, 2003, effective Oct. 19, 2003, expires April 15, 2004. A proposed amendment covering this same material is published in this issue of the Missouri Register.*

**Title 13—DEPARTMENT OF SOCIAL SERVICES  
Division 70—Division of Medical Services  
Chapter 10—Nursing Home Program**

**ORDER TERMINATING EMERGENCY AMENDMENT**

By the authority vested in the director of the Division of Medical Services under sections 208.153, 208.159 and 208.201, RSMo 2000, the director hereby terminates an emergency amendment effective October 29, 2003, as follows:

**13 CSR 70-10.015 Prospective Reimbursement Plan for Nursing Facility Services is terminated.**

A notice of rulemaking containing the text of the emergency amendment was published in the *Missouri Register* on November 3, 2003 (28 MoReg 1894-1897).

**Title 13—DEPARTMENT OF SOCIAL SERVICES  
Division 70—Division of Medical Services  
Chapter 10—Nursing Home Program**

**ORDER TERMINATING EMERGENCY AMENDMENT**

By the authority vested in the director of the Division of Medical Services under sections 208.153 and 208.201, RSMo 2000, the director hereby terminates an emergency amendment effective October 29, 2003, as follows:

**13 CSR 70-10.080 Prospective Reimbursement Plan for HIV Nursing Facility Services is terminated.**

A notice of rulemaking containing the text of the emergency amendment was published in the *Missouri Register* on November 3, 2003 (28 MoReg 1897-1898).

**Title 13—DEPARTMENT OF SOCIAL SERVICES  
Division 70—Division of Medical Services  
Chapter 10—Nursing Home Program**

**ORDER TERMINATING EMERGENCY AMENDMENT**

By the authority vested in the director of the Division of Medical Services under sections 198.403 and 208.201, RSMo 2000, the director hereby terminates an emergency amendment effective October 29, 2003, as follows:

**13 CSR 70-10.110 Nursing Facility Reimbursement Allowance is terminated.**

A notice of rulemaking containing the text of the emergency amendment was published in the *Missouri Register* on November 3, 2003 (28 MoReg 1898).

**Title 15—ELECTED OFFICIALS  
Division 30—Secretary of State  
Chapter 54—Exemptions and Federal Covered Securities**

**EMERGENCY RULE**

**15 CSR 30-54.175 Solicitation of Interest**

*PURPOSE: This rule prescribes the procedures and the record that needs to be provided to offerees to comply with section 409.2-202(17) of the Missouri Securities Act of 2003.*

*EMERGENCY STATEMENT: This emergency rule brings the rule into compliance with the Missouri Securities Act of 2003. This emergency rule is necessary to protect the health, safety and welfare by having a regulation that describes the procedures and record for the exemption under section 409.2-202(17) of the Missouri Securities Act of 2003. As a result, the Securities Division finds an immediate danger to the public health, safety and/or welfare and a compelling governmental interest, which requires this emergency action. A proposed rule, which covers the same material, is published in this issue of the Missouri Register. The scope of this emergency rule is limited to the circumstances creating the emergency and the procedures used by the Securities Division comply with the protections extended in the Missouri and United States Constitutions. The Securities Division believes that it used procedures best calculated to assure fairness to all interested persons and parties. This emergency rule was filed October 10, 2003, effective November 3, 2003 and expires April 30, 2004.*

(1) Scope of the Exemption. The solicitation of interest exemption under section 409.2-202(17) of the Missouri Securities Act of 2003 (the Act) is only available to issuers that are eligible, and relying on an exemption under the Securities Act of 1933.

(2) Form and Content. The record to offerees shall consist of a preliminary offering document that meets the following requirements:

(A) The outside front cover page shall comply with subsection 230.255(a)(1) of regulation A under the Securities Act of 1933 or shall state—

A registration statement pursuant to the Missouri Securities Act of 2003 relating to these securities has been filed with the Missouri Securities Division. This Preliminary Offering Document is being distributed pursuant to the exemption under section 409.2-202(17) of the Missouri Securities Act of 2003.

Information contained in this Preliminary Offering Document is subject to completion or amendment. These securities may not be sold nor may offers to buy be accepted prior to the time an offering document, which is not designated as a Preliminary Offering Document, is delivered and the offering statement filed with the division becomes qualified. This Preliminary Offering Document shall not constitute an offer to sell or the solicitation of an offer to buy. Under no circumstances shall the issuer collect any funds for the securities while relying upon the exemption under section 409.2-202(17) of the Missouri Securities Act of 2003.

and

(B) The preliminary offering document shall contain substantially the information required in an offering circular under the form 1-A or form U-7.

(3) Filing. The issuer shall file the preliminary offering document and all related documents with the Securities Division as part of the registration statement prior to making any solicitations of interest under the exemption of section 409.2-202(17).

(4) No funds can be collected by the issuer for the securities while relying upon the exemption under section 409.2-202(17).



**AUTHORITY:** sections 409.2-202(17), 409.6-605 and 409.6-608, RSMo Supp. 2003. Emergency rule filed Oct. 10, 2003, effective Nov. 3, 2003, expires April 30, 2004. A proposed rule covering this same material is published in this issue of the *Missouri Register*.

## **Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES**

### **Division 30—Division of Health Standards and Licensure Chapter 82—General Licensure Requirements**

#### **EMERGENCY AMENDMENT**

**19 CSR 30-82.060 Hiring Restrictions—Good Cause Waiver.** The department proposes to amend sections (1)–(16), add new sections (5), (15) and (18), renumber sections accordingly and remove the forms that follow the rule in Code.

**PURPOSE:** This amendment sets forth the amended procedures for an employee or prospective employee of an in-home services provider agency or home health agency to request a waiver of the hiring restrictions imposed by section 660.317.7, RSMo, as included in Senate Bill No. 4 passed by the Second Extraordinary Session of the 92nd General Assembly. These amended procedures supplement the existing procedures to request a waiver of the hiring restrictions set forth in section 660.317.6, RSMo.

**EMERGENCY STATEMENT:** During the First Regular Session of the 92nd General Assembly, House Committee Substitute for Senate Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 556 and 311 was passed. This legislation included a provision that any in-home services provider agency or home health agency that knowingly employs a person who refuses to register with the Family Care Safety Registry (FCSR) or who is listed on any of the background checklists in the FCSR, is guilty of a class A misdemeanor. In the same session of the General Assembly, Senate Bill 184 expanded the FCSR to include all felonies and misdemeanors wherever they might be defined (either within the criminal code or defined elsewhere in statute). Prior to the passage of Senate Bill 184, the FCSR contained criminal records of convictions, pleas of guilty or nolo contendere, or suspended execution of sentence only to felonies defined in Chapter 198 (relating to long-term care facilities), Chapter 334 (relating to health care providers), Chapter 560 (relating to fines), Chapter 565 (offenses against the person), Chapter 566 (sexual offenses), Chapter 568 (offenses against the family), Chapter 569 (robbery, burglary, arson and related offenses), Chapter 573 (pornography), Chapter 575 (offenses against the administration of justice) and Chapter 578 (miscellaneous offenses), RSMo. Senate Bills Nos. 556 and 311 did not allow for any consideration of whether FCSR findings are indicative of whether the employee or prospective employee presents a risk to the health or safety of patients or clients. During the Second Extraordinary Session of the 92nd General Assembly, Senate Committee Substitute for Senate Bill No. 4 was passed. This legislation clarified the laws regarding disqualification of employees of in-home service provider agencies and in-home health care agencies and allows employees or prospective employees of such agencies to request a good cause waiver for findings reported on the FCSR. A good cause waiver is granted when the Department of Health and Senior Services determines by examining the good cause waiver applicant's prior work history and other relevant factors that the applicant does not present a risk to the health or safety of residents or clients. This legislation was declared to be an emergency act and was effective upon its passage and approval because it was necessary for the immediate preservation of the public health, welfare, peace and safety. It is necessary to have rules regarding the good cause waiver process both to ensure that recipients of in-home services and home health services are protected from employees or prospective employees who might present a danger to

those recipients—and to ensure that recipients of in-home services and home health services receive services uninterrupted by disruptions in the labor force caused by an inflexible application of the disqualification. Of the current in-home and home health employees who would be included on the background checklists in the FCSR, it is estimated that over five hundred may be eligible for a good cause waiver. Without the ability to receive a good cause waiver, these individuals will no longer be available to provide in-home and home health clients with the care they need to remain in their homes. As a result, the Department of Health and Senior Services finds an immediate danger to the public health, safety and welfare and a compelling governmental interest, which requires this emergency action. A proposed amendment, which covers the same material, is published in this issue of the *Missouri Register*. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri and United States Constitutions*. The Department of Health and Senior Services believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed October 15, 2003, effective October 26, 2003 and expires April 22, 2004.

#### **(1) Definitions.**

(A) Applicant means a person who has been or would be rejected for employment by a provider due to the hiring restrictions found in section 660.317, RSMo [Supp. 1998].

(B) Department means the Department of Health and Senior Services.

[(B)] (C) Determination means the decision issued by the director of the [division] Department of Health and Senior Services or the director's designee based on the factual, procedural or causal issues of the request for waiver.

[(C)] (D) Director means the director of the [Division of Aging] Department of Health and Senior Services.

[(D) Division means the Division of Aging of the Missouri Department of Social Services.]

(E) Good cause waiver means a finding that it is reasonable to believe that the restrictions imposed by section 660.317, RSMo [Supp. 1998], on the employment of an applicant may be waived after an examination of the applicant's prior work history and other relevant factors is conducted and demonstrates that such applicant does not present a risk to the health or safety of residents, patients or clients if employed by a provider.

(F) Provider means any person, corporation or association who—

1. Is licensed as an operator pursuant to Chapter 198, RSMo;
2. Provides in-home services under contract with the Department of [Social] Health and Senior Services;
3. Employs nurses or nursing assistants for temporary or intermittent placement in health care facilities;
4. Is an entity licensed pursuant to Chapter 197, RSMo; [or]
5. Is a public or private facility, day program, residential facility or specialized service operated, funded or licensed by the Department of Mental Health/; or
6. Is a licensed adult day care provider.

(2) Any person who is not eligible for employment by a provider due to the hiring restrictions found in section 660.317, RSMo [Supp. 1998], may apply to the [division] director for a good cause waiver. If the [division] director, or the director's designee, determines that the applicant has demonstrated good cause, such restrictions prohibiting such persons from being hired by a provider shall be waived and such persons may be so employed unless rejected for employment on other grounds. Hiring restrictions based on the Department of Health and Senior Services' employee disqualification list established pursuant to section 660.315, RSMo, are not subject to a waiver.

(3) The [division] director, or the director's designee, shall accept an application for a good cause waiver only if the application—



(A) Is submitted in writing by the applicant on the form provided by the *[division]* department;

(C) Is signed by the applicant *[under oath or affirmation]*;

(D) Includes an indication of the type of waiver that is being requested;

(E) Includes a complete history of residency since the earliest disqualifying offense or incident;

(F) Includes a complete employment history since the age of eighteen (18) years;

*[[D]]* (G) Includes an attached explanation written by the applicant as to why the applicant believes he or she no longer poses a risk to the health, safety or welfare of residents, patients or clients;

(H) Includes an attached description written by the applicant of the events that resulted in each disqualifying offense or incident;

*[[E]]* (I) Includes attached documentation on the applicant's professional, vocational or occupational licensure, certification or registration history and current status, **if any**, in this state and any other state; *[and]*

*[[F]]* (J) Includes at least one (1) reference letter from a sponsor. If the applicant is not able to obtain a sponsor, the applicant shall so state, **shall identify those potential sponsors who have been approached by the applicant**, and shall submit three (3) reference letters from individuals knowledgeable of the applicant's character or work history who are not related to or residing with the applicant./;

(K) Includes a criminal history record from the Missouri State Highway Patrol if requesting a waiver of disqualifying criminal offenses;

(L) Includes a certified court document for each disqualifying criminal offense. If such document is not obtainable, a written and signed statement from the court indicating that no such record exists must be submitted;

(M) Includes certified investigative reports from the Department of Social Services if requesting a waiver of child abuse or neglect findings or a waiver of foster parent license denial, revocation, or involuntary suspension;

(N) Includes certified investigative reports or other documentation of the incident(s) which resulted in the applicant's inclusion on all other lists in the Family Care Safety Registry for which waiver is requested; and

(O) If in addition to the criminal offense(s) for which the applicant is requesting a waiver the applicant has any pending felony or misdemeanor charges, includes a statement explaining the circumstances and certified copies of the charging documents for all pending criminal charges; and, in the case of an applicant seeking a position with an in-home services provider agency or home health agency, if in addition to the circumstances related to the listing on any of the background checklists of the Family Care Safety Registry for which the applicant is requesting a waiver the applicant has any pending circumstances which if established would lead to an additional listing on any of the background checklists of the Family Care Safety Registry, includes a statement explaining the circumstances and certified copies of documents relating to those circumstances.

(4) The *[division]* director, or the director's designee, will not consider any application for a good cause waiver unless it is fully completed, *[properly attested to or affirmed]* signed by the applicant, and contains all required attachments.

(5) Each completed application will be reviewed by a good cause waiver committee of two (2) or more employees of the department. The director shall determine the size of the committee and shall, from time to time, appoint members to serve on the committee.

(A) If the applicant seeks a good cause waiver of placement on the disqualification list maintained by the Department of Mental Health, the director shall appoint an employee of the Department

of Mental Health recommended by the director of the Department of Mental Health to serve on the good cause waiver committee.

(B) A member of the good cause waiver committee shall recuse himself or herself in a good cause waiver review in which the member's impartiality might reasonably be questioned, including but not limited to instances where the committee member has a personal bias or prejudice concerning the applicant, or personal knowledge of evidentiary facts concerning the application for good cause waiver.

*[[5]]* (6) The *[division]* department may, at any time during the application process or review thereof, request additional information from the applicant. If the applicant fails to supply any requested additional information within thirty (30) calendar days of the date of the request, unless the applicant requests and the *[division]* department grants an extension, the *[division]* department will consider the application for good cause waiver to be withdrawn by the applicant.

*[[6]]* (7) The *[division shall review each completed application and]* department may request the applicant, prior to the completion of the review, to appear in person to answer questions about his or her application. **If the applicant is requested to appear in person, the department, in its sole discretion, shall determine the location for the appearance and may conduct any such proceedings using electronic means, including but not limited to telephonic or video conferencing.** The *[division]* department shall review and may investigate the information contained in each application for completeness, accuracy and truthfulness. **The burden of proof shall be upon the applicant to demonstrate that he or she no longer poses a risk to the health, safety or welfare of residents, patients or clients.** The following factors shall be considered in determining whether a good cause waiver should be granted:

(A) The applicant's age at the time the crime was committed or at the time the incident occurred that resulted in the applicant being listed on the background checklists in the Family Care Safety Registry;

(B) The circumstances surrounding the crime or surrounding the incident that resulted in the applicant being listed on the background checklists in the Family Care Safety Registry;

(C) The length of time since the conviction or since the occurrence of the incident that resulted in the applicant being listed on the background checklists in the Family Care Safety Registry;

(D) The length of time since the applicant completed his or her sentence for the disqualifying conviction(s), whether or not the applicant was confined, conditionally released, on parole or probation;

(E) The applicant's entire criminal history and entire history of all incidents that resulted in the applicant being listed on the background checklists in the Family Care Safety Registry, including whether *[it]* that history shows a repetitive pattern of offenses or incidents;

(F) The applicant's prior work history;

(G) Whether the applicant had been employed in good standing by a provider but subsequently became ineligible for employment due to the hiring restrictions in section 660.317, RSMo *[Supp. 1998]*;

(H) Whether the applicant has been convicted or found guilty of, or pled guilty or *nolo contendere* to any offense displaying extreme brutality or disregard for human welfare or safety;

(I) Whether the applicant has omitted a material fact or misrepresented a material fact pertaining to his or her criminal or employment history or to his or her history of incidents that resulted in his or her being listed on the background checklists in the Family Care Safety Registry;

(J) Whether the applicant has ever been listed on the Employee Disqualification List maintained by the *[division]* department as provided in section 660.315, RSMo *[1994]*;

(K) Whether the applicant's criminal offenses were committed, or the incidents that resulted in the applicant being listed on the background checklists in the Family Care Safety Registry occurred, during the time he or she was acting as a provider or as an employee for a provider;

(L) Whether the applicant has, while disqualified from employment by a provider, obtained employment by fraud, deceit, deception or misrepresentation, including misrepresentation of his or her identity;

(M) Whether the applicant has ever had a professional or occupational license, certification, or registration revoked, suspended, or otherwise disciplined;

[(M)] (N) Any other information relevant to the applicant's employment background or past actions indicating whether he or she would pose a risk to the health, safety or welfare of residents, patients or clients; and

[(N)] (O) Whether the applicant has supplied all information requested by the [division] department.

[(7)] (8) If, at the time of an application for a waiver, or during the waiver consideration process, the applicant has been charged or indicted for, but not convicted of, any of the crimes covered under the provisions of section 660.317, RSMo, the [division] department will hold the request for waiver in abeyance while such charges are pending or until a court of competent jurisdiction enters a judgment or order disposing of the matter.

[(8)] (9) Each applicant who submits a waiver application meeting the requirements of section (3) of this rule shall be notified in writing by the director, [of the division] or the director's designee, as to whether his or her application has resulted in a determination of good cause or no good cause. Such notification shall be effective if sent to the applicant's address given on the application.

[(9)] (10) Any good cause waiver granted to an applicant applies only to:

(A) [t]The specific disqualifying conviction(s), finding(s) of guilt, plea(s) of guilty or *nolo contendere*, as contained in the certifying copies of the court documents which are required in the [A]application [for a Good Cause Waiver (MO Form 886-3654).]; and/or

(B) The incident(s) that resulted in the applicant being listed on the background checklists in the Family Care Safety Registry, as contained in the investigative reports or other supporting documentation required in the application or subsequently requested by the department.

[(10)] (11) Any good cause waiver granted to an applicant applies only to those disqualifying criminal convictions or incidents that resulted in the applicant being listed on the background checklists in the Family Care Safety Registry, as covered under the provisions of section 660.317, RSMo [Supp. 1998], and shall not apply to any other hiring restriction or exclusion imposed by any other federal or state laws or regulations.

[(11)] (12) The [division] director, or the director's designee, may withdraw a good cause waiver if it receives information or finds that—

(A) The applicant has omitted a material fact or misrepresented a material fact in seeking a good cause waiver;

(B) The applicant has been subsequently convicted or found guilty of, or pled guilty or *nolo contendere* to any class A or B felony violation of Chapter 565, 566, or 569, RSMo, or any violation of subsection 3 of section 198.070, RSMo, or section 568.020, RSMo, in this state or any other state;

(C) Such applicant is a prospective or current employee of an in-home services provider or home health agency and has been subsequently involved in an incident that results in the applicant being listed on any of the background checklists in the Family Care Safety Registry;

[(C)] (D) The applicant has omitted, misrepresented or failed to disclose or provide any of the information required by section 660.317, RSMo [Supp. 1998], or the provisions of this rule; or

[(D)] (E) There has been a material change in the circumstances upon which the good cause waiver was granted.

[(12)] (13) If the good cause waiver is withdrawn by the [division] department, the notice of such withdrawal shall be mailed by the [division] department to the applicant's last known address, with a copy of the notice sent to the applicant's last known employer, if any.

[(13)] (14) No applicant may be employed in a direct care or direct service position with a provider during the pendency of a request for waiver unless the applicant has been continuously employed by that provider prior to August 28, [1997] 2003. If an applicant is employed on or after August 28, 2003, he or she may be employed following submission of a completed waiver application on a conditional basis to provide in-home services or home health services to any in-home services client or home health patient during the pendency of that waiver application if:

(A) The disqualifying crime is not one that would preclude employment pursuant to subsection 6 of section 660.317, RSMo; and

(B) The applicant is not listed on the Department of Health and Senior Services' employee disqualification list established pursuant to section 660.315, RSMo.

(15) If a waiver is denied to an applicant employed on or after August 28, 2003, on a conditional basis, the conditional employment shall immediately terminate.

[(14)] (16) Applicants who have been denied a good cause waiver, or who have had their good cause waivers withdrawn by the [division] department, may reapply one (1) time every twelve (12) months, or whenever the circumstances related to the disqualifying conviction(s) have changed.

[(15)] (17) Each provider shall be responsible for—

(A) Requesting criminal background checks on all [employment applicants] prospective employees, regardless of waiver status, in accordance with the provisions of sections 660.317 and 43.540, RSMo [Supp. 1998]; and

(B) Contacting the [division] department to confirm the validity of a[n applicant's] prospective employee's good cause waiver prior to hiring the [applicant] prospective employee if the prospective employee reveals the existence of a good cause waiver or reveals the existence of an otherwise disqualifying circumstance.

(18) Each in-home services provider or home health provider shall also be responsible for—

(A) Requesting Family Care Safety Registry background screenings on all prospective employees, regardless of waiver status, in accordance with the provisions of section 660.317.7, RSMo; and

(B) Contacting the department to confirm the validity of a prospective employee's good cause waiver prior to hiring the prospective employee if the prospective employee reveals the existence of a good cause waiver or reveals the existence of an otherwise disqualifying circumstance.

[(16)] (19) All applications for good cause waivers and related documents shall become permanent records maintained by the [division] department.

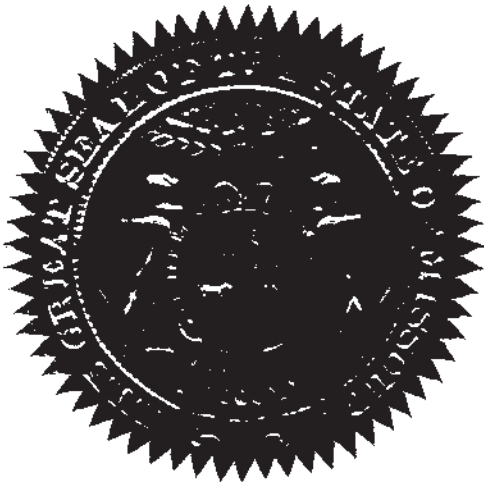
*AUTHORITY: sections 660.017, RSMo 2000, 660.050, and 660.317, RSMo Supp. [1998] 2003. This rule was originally filed as 13 CSR 15-10.060. Emergency rule filed March 1, 1999, effective March 30, 1999, expired Jan. 10, 2000. Original rule filed March 1, 1999, effective Sept. 30, 1999. Moved to 19 CSR 30-82.060, effective Aug. 28, 2001. Emergency amendment filed Oct. 15, 2003, effective Oct. 26, 2003, expires April 22, 2004. A proposed amendment covering this same material is published in this issue of the Missouri Register.*

**T**he Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo Supp. 2003.

**EXECUTIVE ORDER  
03-21**

**TO ALL DEPARTMENTS AND AGENCIES:**

This is to advise that state offices will be closed Friday, November 28, 2003 and Friday, December 26, 2003.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 24<sup>th</sup> day of October, 2003.

A handwritten signature in cursive script, reading "Bob Holden", written over a horizontal line.

**Bob Holden  
Governor**

**ATTEST:**

A handwritten signature in cursive script, reading "Matt Blunt", written over a horizontal line.

**Matt Blunt  
Secretary of State**



**U**nder this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

**E**ntirely new rules are printed without any special symbolology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

**A**n important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

**I**f an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

**A**n agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety (90)-day-count necessary for the filing of the order of rulemaking.

**I**f an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

**Boldface text indicates new matter.**

*[Bracketed text indicates matter being deleted.]*

**Title 1—OFFICE OF ADMINISTRATION  
Division 35—Division of Facilities Management  
Chapter 1—Facility Maintenance and Operation**

**PROPOSED AMENDMENT**

**1 CSR 35-1.050 Public Use of State Facilities.** The Office of Administration is amending paragraphs (1)(D)1., (1)(D)2., (1)(D)3., (2)(B)9., and (4)(A)12., and adding a new section (5).

*PURPOSE: This rule preserves a prohibition against carrying firearms or any other weapon readily capable of lethal use into certain state facilities. Exceptions are provided for law enforcement officers and other specific public officials acting in their official capacities.*

(1) Facilities Subject to this Rule; Definitions.

(B) As used in this rule, the term "Capitol Building and grounds" means the first floor of the Capitol rotunda, the museum area, corri-

dors, restrooms and all other common areas on the first floor of the Capitol Building, the south steps of the Capitol Building, the circular drive and the Capitol grounds. The Capitol grounds, as shown on Appendix A **included herein**, extend to High Street on the south and to Jefferson Street on the east, but do not include Parking Lots Number 1, 2, 4 and 15A, nor the Highway and Transportation Building and its grounds nor the buildings and grounds known as "Lohman's Landing."

(D) Other Public Buildings and Grounds.

1. As used in this rule, the term "other public buildings and grounds" means all property, except the Capitol Building and grounds, and except the Governor's Mansion and its grounds, which is owned, leased or occupied by an agency of the state of Missouri *[and is managed by the Office of Administration, Division of Facilities Management]*.

2. It includes, but is not limited to, the following: the Jefferson Building, the Broadway Building, the Supreme Court Building, the Environmental Control Center, the Harry S Truman Office Building, the E.D.P. Building, the Health Lab, and the Missouri State Information Center, all in Jefferson City; the Wainwright State Office Building and the Midtown State Office Building in St. Louis; the Kansas City State Office Building; the St. Joseph State Office Building; the Springfield State Office Complex; and all parking lots or parking structures on the said sites *[which are managed by the Division of Facilities Management]*. Drawings showing the property lines of these sites are included **herein** as Appendix A to this rule.

3. In the case of multi-tenant buildings, the term "other public buildings and grounds" includes only the offices occupied by agencies of the state of Missouri and those portions of the common areas *[that are controlled by state agencies]*.

(2) Public Use of Other Public Buildings and Grounds Occupied by State Agencies.

(B) Prohibited Activities. The following activities and conditions are not permitted in the common areas of any of the other public buildings and grounds which are occupied by a state agency:

1. Purely private social events, such as weddings, regardless of the type or content;

2. Commercial activities, including soliciting the sale of any goods or services and any other activities undertaken for the primary purpose of obtaining a financial return for the benefit of an individual or organization, whether organized for profit or not; except that this paragraph shall not prohibit vendors from soliciting state employees for the purpose of effecting sales of the vendors' products or services, if the products or services are offered to the state, or if they are offered to employees through a state-sponsored program;

3. Solicitation of any kind, including the solicitation of contributions, gifts or donations, the solicitation of signatures on petitions, and the solicitation of support for any political candidate or cause, except as otherwise specifically authorized in this rule;

4. The distribution of any leaflets or other materials, except for such materials as are distributed by the facility manager, and except that certified employee bargaining units may distribute written materials in the common areas of the buildings where the members of their unit are employed, if authorized by the facility manager to do so;

5. Any activity that obstructs the free ingress or egress of those wishing to enter or leave the public building;

6. A sound level, noise, or any other activity that disrupts the business of government in the public building;

7. Camping, including the use of the grounds for living accommodation purposes such as sleeping activities, making preparations for sleeping activities, making preparations to sleep (including the placement of bedding for the purpose of sleeping), storing personal belongings, making any fire, using any tents or other shelters for



sleeping, doing any digging or earth-breaking or carrying on cooking activities;

8. The service or consumption of alcoholic beverages;

9. Guns or weapons of any kind, except as authorized *[by law]* in section (5) of this rule;

10. Wood, metal or plastic poles or standards shall not be used to support signs or banners and shall not be brought into the public building or onto the grounds;

11. Any other activity that presents a significant likelihood of damage to the public building; or

12. Any activity that is a violation of federal, state or local law.

(4) Public Use of the Capitol Building and Grounds.

(A) The following activities and conditions are not permitted in or about the Capitol Building and grounds, as defined in section (1) of this rule:

1. Purely private social events, such as weddings, regardless of the type or content;

2. The service or consumption of alcoholic beverages, except as provided in paragraph (4)(A)3.;

3. Box lunches, buffet style or "sit down" food service, or any other service of food or beverage is prohibited in the rotunda, except that the service of food and beverage, including alcoholic beverages, is permitted if it is part of a state government function and is approved by the Board of Public Buildings. The service of food or beverage on the Capitol grounds is prohibited unless approved by the facility manager and the food or beverage is served without charge;

4. In order to minimize damage to the rotunda floor, dance events, including demonstrations such as clogging, square dancing and other such activity, are prohibited in the rotunda, unless the events are part of a state government function and are approved by the Board of Public Buildings;

5. Commercial activities, including the sale of any goods or services and any other activities undertaken for the primary purpose of obtaining a financial return for the benefit of an individual or organization, whether organized for profit or not, except as otherwise authorized in this rule;

6. The solicitation of contributions, gifts or donations is prohibited in all common areas of the Capitol Building, and the distribution of leaflets or other materials and all other forms of solicitation, including solicitation of support for any political candidate or cause is prohibited in all common areas of the Capitol Building except the rotunda and the south steps.

7. Making any speech or conducting any organized activity involving two (2) or more persons without first obtaining a permit from the facility manager, or distributing leaflets or other materials which have not been provided to the facility manager in conjunction with an application for a permit, or leaving leaflets or other materials unattended;

8. Any activity that obstructs the free ingress or egress of those wishing to enter or leave the rotunda or other portions of the Capitol;

9. A sound level, noise, or any other activity that disrupts the business of government in the Capitol;

10. The use of balloons of any kind in the rotunda;

11. Smoking in any of the common areas inside the Capitol Building, except in those areas that have specifically been designated as "smoking areas";

12. Guns or weapons of any kind, except as authorized *[by law]* in section (5) of this rule;

13. The use, in the rotunda, of lighted candles or other devices which produce flames;

14. Signs, banners and like material shall not be fastened in any way to the walls, surfaces, or railing surrounding the rotunda. Wood, metal or plastic poles or standards shall not be used to support signs or banners and shall not be brought onto the Capitol grounds. Signs displayed during an activity shall not contain any obscene words or symbols;

15. Any other activity that presents a significant likelihood of damage to the rotunda or other portions of the Capitol;

16. Camping, as previously defined in this rule; and

17. Any activity that is a violation of federal, state or local law.

(5) Weapons Capable of Lethal Use Prohibited; Exceptions.

(A) Carrying a firearm or any other weapon readily capable of lethal use into the Capitol Building and grounds as defined in subsection (1)(B), the offices in the Capitol Building occupied by the Governor and the Governor's administration, the offices in the Capitol Building of the Lieutenant Governor, the offices in the Capitol Building of the State Auditor, the offices in the Capitol Building of the State Treasurer, any other building and grounds as defined in subsection (1)(D), or the Governor's Mansion and grounds, is prohibited. This prohibition shall not apply to state and federal law enforcement officers, peace officers, probation and parole officers, wardens and superintendents of prisons or penitentiaries, members of the armed forces and national guard, persons vested with judicial authority by the state or federal court, and members of the state General Assembly, acting in their official capacity. Possession of a firearm by a person holding a valid state concealed carry endorsement in a vehicle located in a parking area upon the premises of any area referenced in this rule shall not be prohibited so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises.

*AUTHORITY: sections 8.110, 8.320, [RSMo 1994 and] 34.030, 37.005, 536.023.3 and 536.025, RSMo [Supp. 1997] 2000. Original rule filed April 23, 1998, effective Nov. 30, 1998. Emergency amendment filed Oct. 9, 2003, effective Oct. 19, 2003, expires April 15, 2004. Amended: Filed Oct. 9, 2003*

*PUBLIC COST: This proposed amendment is expected to cost the Office of Administration—Division of Facilities Management five thousand dollars (\$5,000) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of Administration, Jacquelyn D. White, Commissioner, PO Box 809, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**FISCAL NOTE****PUBLIC COST****I. RULE NUMBER**

Rule Number and Name:	I CSR 35-1.050 Public Use of State Facilities
Type of Rulemaking:	Proposed Amendment

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Costs are expected to be incurred by the Office of Administration -- Division of Facilities Management in an estimated amount of \$5,000.	\$5,000.00

**III. WORKSHEET**

500 signs @ \$10 each = \$5,000

**IV. ASSUMPTIONS**

Signs are expected to be placed at the main entrances of state-owned/leased facilities reflecting the provisions of this rule.

**Title 1—OFFICE OF ADMINISTRATION  
Division 35—Division of Facilities Management  
Chapter 2—Leasing**

**PROPOSED AMENDMENT**

**1 CSR 35-2.030 Administration of the Leasing Process.** The Office of Administration is adding a new section (4).

*PURPOSE: This amendment preserves a prohibition against carrying firearms or any other weapon readily capable of lethal use into real property leased by the state under the authority of the Office of Administration. Exceptions are provided for law enforcement officers and other specific public officials acting in their official capacities.*

**(4) All leases entered into by the Office of Administration shall prohibit carrying a firearm or other weapon readily capable of lethal use into the leased premises. This prohibition shall not apply to state and federal law enforcement officers, peace officers, probation and parole officers, wardens and superintendents of prisons or penitentiaries, members of the armed forces and national guard, persons vested with judicial authority by the state or federal court, and members of the state General Assembly, acting in their official capacity. Possession of a firearm by a person holding a valid state concealed carry endorsement in a vehicle located in a parking area upon the premises of any area referenced in this rule shall not be prohibited so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises.**

*AUTHORITY: sections [34.030, RSMo 1994] 8.110, 8.320, 34.030, 37.005, 536.023.3, and 536.025, RSMo 2000. Original rule filed April 15, 1998, effective Nov. 30, 1998. Emergency amendment filed Oct. 9, 2003, effective Oct. 19, 2003, expires April 15, 2004. Amended: Filed Oct. 9, 2003.*

*PUBLIC COST: This proposed amendment is expected to cost the Office of Administration—Division of Facilities Management five thousand dollars (\$5,000) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of Administration, Jacquelyn D. White, Commissioner, PO Box 809, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**FISCAL NOTE****PUBLIC COST****I. RULE NUMBER**

Rule Number and Name:	1 CSR 35-2.030 Administration of the Leasing Process
Type of Rulemaking:	Proposed Amendment

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Costs are expected to be incurred by the Office of Administration -- Division of Facilities Management in an estimated amount of \$5,000.	\$5,000.00

**III. WORKSHEET**

500 signs @ \$10 each = \$5,000

**IV. ASSUMPTIONS**

Signs are expected to be placed at the main entrances of state-owned/leased facilities reflecting the provisions of this rule.



**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 4—Wildlife Code: General Provisions**

**PROPOSED AMENDMENT**

**3 CSR 10-4.110 General Prohibition; Applications.** The commission proposes to amend section (7).

*PURPOSE:* This amendment removes the word “legally” to provide options for enforcement action in instances where wildlife is taken illegally and then abandoned.

(7) No person who [legally] takes or possesses any wildlife shall wantonly leave or abandon any portion of such wildlife commonly used as human food.

*AUTHORITY:* sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 26, 1975, effective July 7, 1975. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Oct. 9, 2003.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 5—Wildlife Code: Permits**

**PROPOSED AMENDMENT**

**3 CSR 10-5.205 Permits Required; Exceptions.** The commission proposes to amend subsection (1)(F).

*PURPOSE:* This amendment allows resident landowners who are not hunter education certified to accompany youngsters using a Youth Deer and Turkey Hunting Permit, but only on property owned by the landowner.

(1) Any person who chases, pursues, takes, transports, ships, buys, sells, possesses or uses wildlife in any manner must first obtain the prescribed hunting, fishing, trapping or other permit, or be exempted under 3 CSR 10-9.110, with the following exceptions:

(F) Any person at least six (6) [and under sixteen (16)] but not older than fifteen (15) years of age may purchase a Youth Deer and Turkey Hunting Permit without display of a hunter education certificate card, and may take one (1) deer of either sex statewide, during the firearms deer hunting seasons except that only an antlerless deer may be taken in seasons open only to antlerless deer; one (1) male turkey or turkey with visible beard during the spring turkey hunting season; and one (1) turkey of either sex during the fall firearms turkey hunting season; provided, s/he is hunting in the immediate presence of a properly licensed adult hunter who has in his/her possession a valid hunter education certificate card, or who are hunting in the immediate presence of a resident landowner as defined in this Code on lands owned by the resident landowner, provided the resident landowner was born before January 1, 1967. Youth

Deer and Turkey Hunting Permit holders attaining the age of eleven (11) during the prescribed permit year, and who have a valid hunter education certificate card, may surrender unused portion(s) of the Youth Deer and Turkey Hunting Permit and purchase other firearms deer and turkey hunting permits. Deer and turkeys taken under the Youth Deer and Turkey Hunting Permit must be included in the total season limits.

*AUTHORITY:* sections 40 and 45 of Art. IV, Mo. Const. Original rule filed July 22, 1974, effective Dec. 31, 1974. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Oct. 9, 2003.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 5—Wildlife Code: Permits**

**PROPOSED AMENDMENT**

**3 CSR 10-5.215 Permits and Privileges: How Obtained; Not Transferable.** The commission proposes to amend sections (2) and (4).

*PURPOSE:* This amendment clarifies the requirement for verification of hunter education certification.

(2) A permit for the taking of wildlife may be issued only to an individual and may be used only by the individual to whom it is issued. No permit, application for permit, method exemption, Missouri Conservation Heritage Card or special hunting or fishing tag may be loaned, pre-dated, falsified, altered or misrepresented in any manner, except that a Missouri Conservation Heritage Card may be presented by another to purchase permits on behalf of the person named thereon. No firearms hunting permit shall be issued without containing the hunter education certificate card number **where applicable**; except that a Youth Deer and Turkey Hunting Permit may be issued to persons at least six (6) and [under sixteen (16)] but not older than fifteen (15) years of age without requiring display of a hunter education certificate card.

(4) Any person born on or after January 1, 1967, shall obtain or display an approved hunter education certificate card prior to purchase of any firearms hunting permit, except as exempted in 3 CSR 10-5.205. Any person purchasing a firearms hunting permit for another person who is required to be hunter education certified must display a valid hunter education certificate card bearing the name of the person for whom the permit is being purchased. A hunter education card need not be displayed if certification can be verified through direct access to computer data files. [The hunter education certificate card number shall be entered] **Hunter education certification shall be verified** by permit vendors on all firearms hunting permits, except as exempted in 3 CSR 10-5.205. Hunter education certification shall be limited to persons eleven (11) years of age or older. The Missouri Conservation Heritage Card will be issued

as a replacement for lost or damaged hunter education certificate cards (fee: two dollars (\$2)).

*AUTHORITY:* sections 40 and 45 of Art. IV, Mo. Const. Original rule filed July 22, 1974, effective Dec. 31, 1974. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Oct. 9, 2003.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 5—Wildlife Code: Permits**

**PROPOSED AMENDMENT**

**3 CSR 10-5.310 Resident Lifetime Conservation Partner Permit.** The commission proposes to amend section (1).

*PURPOSE:* This amendment specifically includes chase as a privilege to mean “without the intent to take” to the lifetime conservation partner permit.

(1) To **chase**, pursue, take, possess and transport fish (including trout), frogs, mussels, clams, turtles, crayfish, live bait, birds (including migratory birds; except wild turkey) and mammals (except deer), and to sell furbearers taken by hunting. Fee:

*AUTHORITY:* sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 20, 1995, effective Jan. 1, 1996. Amended: Filed April 30, 2001, effective March 1, 2002. Amended: Filed Oct. 9, 2003.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 5—Wildlife Code: Permits**

**PROPOSED AMENDMENT**

**3 CSR 10-5.320 Resident Lifetime Small Game Hunting Permit.** The commission proposes to amend section (1).

*PURPOSE:* This amendment specifically includes chase as a privilege to mean “without the intent to take” to the lifetime small game hunting permit.

(1) To **chase**, pursue, take, possess and transport birds (including migratory birds; except wild turkey), mammals (except deer) and frogs, and to sell furbearers taken by hunting. Fee:

*AUTHORITY:* sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 20, 1995, effective Jan. 1, 1996. Amended: Filed April 30, 2001, effective March 1, 2002. Amended: Filed Oct. 9, 2003.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 5—Wildlife Code: Permits**

**PROPOSED AMENDMENT**

**3 CSR 10-5.330 Resident Hunting and Fishing Permit.** The commission proposes to amend provisions of this rule.

*PURPOSE:* This amendment specifically includes chase as a privilege to mean “without the intent to take” to the combination fishing and small game hunting permit.

To **chase**, pursue, take, possess and transport fish, frogs, mussels, clams, turtles, crayfish, live bait, birds (except wild turkey) and mammals (except deer), and to sell furbearers taken by hunting. Fee: nineteen dollars (\$19).

*AUTHORITY:* sections 40 and 45 of Art. IV, Mo. Const. This rule was previously filed as 3 CSR 10-5.230. This version of rule filed July 22, 1974, effective Dec. 31, 1974. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Oct. 9, 2003.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 5—Wildlife Code: Permits**

**PROPOSED AMENDMENT**

**3 CSR 10-5.340 Resident Fishing Permit.** The commission proposes to amend provisions of this rule.

*PURPOSE: This amendment increases the fee of the resident fishing permit from eleven dollars (\$11) to twelve dollars (\$12).*

To pursue, take, possess and transport fish, frogs, mussels, clams, turtles, crayfish and live bait. Fee: ~~eleven~~ **twelve** dollars ~~[( \$ 11 )]~~ **( \$ 12 )**.

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule was previously filed as 3 CSR 10-5.235. This version of rule filed July 22, 1974, effective Dec. 31, 1974. Amended: Filed Aug. 1, 1980, effective Jan. 1, 1981. Amended: Filed Aug. 8, 1989, effective Jan. 1, 1990. Amended: Filed June 20, 1995, effective Jan. 1, 1996. Amended: Filed July 8, 1998, effective March 1, 1999. Amended: Filed Oct. 9, 2003.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate. Costs of the change will be minimal, limited to updating brochures, tables, price lists, etc., all items which are always updated annually.*

*PRIVATE COST: This proposed amendment will cost private entities approximately \$2,479,525 in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

## FISCAL NOTE PRIVATE ENTITY COST

### I. RULE NUMBER

Title: 3 - Department of Conservation

Division: 10 Conservation Commission

Chapter: 5

Type of Rulemaking: Proposed amendment

Rule Number and Name: 3CSR 10-5.340 Resident Fishing Permit

### II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
495,905 resident fishing permit buyers	N/A	\$2,479,525

### III. WORKSHEET

495,905 resident fishing permit buyers X \$1.00 increase per permit sold = \$495,905 aggregate cost per year. \$495,905 per year X the assumed 5 year life of the regulation = \$2,479,525 total aggregate cost over the 5 year term.

### IV. ASSUMPTIONS

Number of permit buyers is based on historic sales data.

Based on Permit Year (March 1 through last day of February next following) NOT fiscal year.

Based on an average five-year life cost. All permit fees are reviewed annually and adjustments made as needed—normally within five years—to remain competitive with other states.



**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 5—Wildlife Code: Permits**

**PROPOSED AMENDMENT**

**3 CSR 10-5.345 Resident Small Game Hunting Permit.** The commission proposes to amend provisions of this rule.

*PURPOSE: This amendment increases the permit fee from nine dollars (\$9) to ten dollars (\$10) and includes chase as a privilege to mean "without the intent to take."*

To **chase**, pursue, take, possess and transport birds (except wild turkey), mammals (except deer) and frogs, and to sell furbearers taken by hunting. Fee: *[nine]* **ten** dollars *[(\$9)]* **(\$10)**.

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule was previously filed as 3 CSR 10-5.255. This version of rule filed July 22, 1974, effective Dec. 31, 1974. Amended: Filed Aug. 1, 1980, effective Jan. 1, 1981. Amended: Filed Nov. 29, 1982, effective March 11, 1983. Amended: Filed Aug. 8, 1989, effective Jan. 1, 1990. Amended: Filed April 28, 1992, effective Jan. 15, 1993. Amended: Filed June 20, 1995, effective Jan. 1, 1996. Amended: Filed Oct. 9, 2003.*

*PUBLIC COST: This proposed amendment will not cost state or political subdivisions more than five hundred dollars (\$500) in the aggregate. Costs of the change will be minimal, limited to updating brochures, tables, price lists, etc., all items which are always updated annually.*

*PRIVATE COST: This proposed amendment will cost private entities approximately two hundred eighty thousand one hundred eighty dollars (\$280,180) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**FISCAL NOTE  
PRIVATE ENTITY COST****I. RULE NUMBER**

Title: 3 - Department of Conservation

Division: 10 Conservation Commission

Chapter: 5

Type of Rulemaking: Proposed amendment

Rule Number and Name: 3 CSR 10-5.345 Resident Small Game Hunting Permit

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
56,036 resident hunting permit buyers	N/A	\$280,180

**III. WORKSHEET**

56,036 resident hunting permit buyers X \$1.00 increase per permit sold = \$56,036 aggregate cost per year. \$56,036 per year X the assumed 5 year life of the regulation = \$280,180 total aggregate cost over the 5 year term.

**IV. ASSUMPTIONS**

Number of permit buyers is based on historic sales data.

Based on Permit Year (March 1 through last day of February next following) NOT fiscal year.

Based on an average five-year life cost. All permit fees are reviewed annually and adjustments made as needed—normally within five years—to remain competitive with other states.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 5—Wildlife Code: Permits**

**PROPOSED AMENDMENT**

**3 CSR 10-5.365 Resident Turkey Hunting Permits.** The commission proposes to amend section (1).

*PURPOSE: This amendment increases the fee of the spring resident turkey hunting permit from fifteen dollars (\$15) to seventeen dollars (\$17) and the fall resident turkey hunting permit from eleven dollars (\$11) to thirteen dollars (\$13).*

(1) To pursue, take, possess and transport wild turkey during the prescribed open season.

(A) Spring Season Permit. Fee: *[fifteen]* **seventeen** dollars *[( \$ 15 )]* **( \$ 17 )**.

(B) Fall Season Permit. Fee: *[eleven]* **thirteen** dollars *[( \$ 11 )]* **( \$ 13 )**.

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule was previously filed as 3 CSR 10-5.266. This version of rule filed July 22, 1974, effective Dec. 31, 1974. Amended: Filed March 13, 1978, effective June 11, 1978. Amended: Filed Aug. 1, 1980, effective Jan. 1, 1981. Amended: Filed Aug. 8, 1989, effective Jan. 1, 1990. Amended: Filed June 20, 1995, effective Jan. 1, 1996. Amended: Filed July 8, 1998, effective March 1, 1999. Amended: Filed Oct. 9, 2003.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate. Costs of the change will be minimal, limited to updating brochures, tables, price lists, etc., all items which are always updated annually.*

*PRIVATE COST: This proposed amendment will cost private entities approximately \$1,409,860 in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

## FISCAL NOTE PRIVATE ENTITY COST

### I. RULE NUMBER

Title: 3 - Department of Conservation

Division: 10 Conservation Commission

Chapter: 5

Type of Rulemaking: Proposed amendment

Rule Number and Name: 3 CSR 10-5.365 Resident Turkey Hunting Permits

### II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
140,986 Turkey hunting permit buyers	N/A	\$1,409,860

### III. WORKSHEET

140,986 turkey hunting permit buyers X \$2.00 increase per permit sold = \$281,972 aggregate cost per year. \$281,972 per year X the assumed 5 year life of the regulation = \$1,409,860 total aggregate cost over the 5 year term.

### IV. ASSUMPTIONS

Number of permit buyers is based on historic sales data.

Based on Permit Year (March 1 through last day of February next following) NOT fiscal year.

Based on an average five-year life cost. All permit fees are reviewed annually and adjustments made as needed—normally within five years—to remain competitive with other states.



**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 5—Wildlife Code: Permits**

**PROPOSED RULE**

**3 CSR 10-5.375 Resident Cable Restraint Permit**

*PURPOSE: This rule allows holders to use cable retraining devices (relaxing snares) on land for furbearers during a specified period of time.*

To attempt to take or take by cable restraint device only and to possess, transport and sell furbearers. This permit may be issued only to the holder of a Resident Trapping Permit who has successfully completed a cable restraint training course, validated by a certified instructor. Fee: twenty-five dollars (\$25).

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed Oct. 9, 2003.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rule will cost private entities twelve thousand five hundred dollars (\$12,500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

## FISCAL NOTE PRIVATE ENTITY COST

### I. RULE NUMBER

Title: 3 - Department of Conservation
Division: 10 Conservation Commission
Chapter: 5
Type of Rulemaking: Proposed rule
Rule Number and Name: 3 CSR 10-5.375 Resident Cable Restraint Permit.

### II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
100 trapping permit holders		\$12,500

### III. WORKSHEET

100 trappers are estimated to buy this permit. Total cost over the 5 year life for 100 trappers is calculated as 100 trappers X \$25 per permit year X 5 years.

### IV. ASSUMPTIONS

Based on Permit Year (March 1 through last day of February next following) NOT fiscal year.

Based on an average five-year life cost. All permit fees are reviewed annually and adjustments made as needed--normally within five years--to remain competitive with other states.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 5—Wildlife Code: Permits**

**PROPOSED AMENDMENT**

**3 CSR 10-5.420 Youth Deer and Turkey Hunting Permit.** The commission proposes to amend provisions of this rule.

*PURPOSE: This amendment clarifies the age requirement and increases the fee from fifteen dollars (\$15) to seventeen dollars (\$17), and allows resident landowners who are not hunter education certified to accompany youngsters using a Youth Deer and Turkey Hunting Permit, but only on property owned by the landowner.*

To pursue, take, possess and transport one (1) deer of either sex statewide, during the firearms deer hunting seasons except that only an antlerless deer may be taken in seasons open only to antlerless deer; one (1) male turkey or turkey with visible beard during the spring turkey hunting season; and one (1) turkey of either sex during the fall firearms turkey hunting season; only by persons at least six (6) *[and under sixteen (16)]* **but not older than fifteen (15)** years of age who are hunting in the immediate presence of a properly licensed adult hunter who has in his/her possession a valid hunter education certificate card, **or who are hunting in the immediate presence of a resident landowner as defined in this Code on lands owned by the resident landowner, provided the resident landowner was born before January 1, 1967.** Fee: *[fifteen]* **seventeen** dollars *[( \$15 )]* **( \$17 )**.

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed May 6, 1998, effective March 1, 1999. Amended: Filed May 10, 1999, effective March 1, 2000. Amended: Filed Jan. 8, 2003, effective March 1, 2003. Amended: Filed Oct. 9, 2003.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate. Costs of the change will be minimal, limited to updating brochures, tables, price lists, etc, all items which are always updated annually.*

*PRIVATE COST: This proposed amendment will cost private entities approximately one hundred thirty thousand fifty dollars (\$130,050) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

## FISCAL NOTE PRIVATE ENTITY COST

### I. RULE NUMBER

Title: 3 - Department of Conservation
Division: 10 Conservation Commission
Chapter: 5
Type of Rulemaking: Proposed amendment
Rule Number and Name: 3 CSR 10-5.420 Youth Deer and Turkey Hunting Permit

### II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
13,005 Youth deer and turkey hunting permit buyers	N/A	\$130,050

### III. WORKSHEET

13,005 youth deer and turkey hunting permit buyers X \$2.00 increase per permit sold = \$26,010 aggregate cost per year. \$26,010 per year X the assumed 5 year life of the regulation = \$130,050 total aggregate cost over the 5 year term.

### IV. ASSUMPTIONS

Number of permit buyers is based on historic sales data.

Based on Permit Year (March 1 through last day of February next following) NOT fiscal year.

Based on an average five-year life cost. All permit fees are reviewed annually and adjustments made as needed—normally within five years—to remain competitive with other states.



**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 5—Wildlife Code: Permits**

**PROPOSED AMENDMENT**

**3 CSR 10-5.440 Daily Fishing Permit.** The commission proposes to amend provisions of this rule.

*PURPOSE: This amendment increases the permit fee from five dollars (\$5) to five dollars and fifty cents (\$5.50).*

To pursue, take, possess and transport fish, frogs, mussels, clams, turtles, crayfish and live bait. Fee: five dollars **and fifty cents (\$5.50)** per day. A permit may be purchased for multiple days.

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 20, 1995, effective Jan. 1, 1996. Amended: Filed July 8, 1998, effective March 1, 1999. Amended: Filed Oct. 9, 2003.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate. Costs of the change will be minimal, limited to updating brochures, tables, price lists, etc., all items which are always updated annually.*

*PRIVATE COST: This proposed amendment will cost private entities approximately seven hundred thirty-four thousand two hundred seventy-five dollars (\$734,275) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

## FISCAL NOTE PRIVATE ENTITY COST

### I. RULE NUMBER

Title: 3 - Department of Conservation

Division: 10 Conservation Commission

Chapter: 5

Type of Rulemaking: Proposed amendment

Rule Number and Name: 3 CSR 10-5.440 Daily Fishing Permit

### II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
293,709 daily fishing permit buyers	N/A	\$734,275

### III. WORKSHEET

293,709 daily fishing permit buyers X \$0.50 increase per permit sold = \$146,855 aggregate cost per year.  
\$146,855 per year X the assumed 5 year life of the regulation = \$734,275 total aggregate cost over the 5 year term.

### IV. ASSUMPTIONS

Number of permit buyers is based on historic sales data.

Based on Permit Year (March 1 through last day of February next following) NOT fiscal year.

Based on an average five-year life cost. All permit fees are reviewed annually and adjustments made as needed—normally within five years—to remain competitive with other states.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 5—Wildlife Code: Permits**

**PROPOSED AMENDMENT**

**3 CSR 10-5.445 Daily Small Game Hunting Permit.** The commission proposes to amend provisions of this rule.

*PURPOSE: This amendment increases the fee from ten dollars (\$10) to eleven dollars (\$11).*

To chase, pursue, take, possess and transport birds (except wild turkey), mammals (except deer and furbearers) and frogs, and to chase furbearers for training dogs during the closed season. Fee: ~~ten~~ **eleven** dollars ~~[( \$10 )]~~ **( \$11 )** per day. A permit may be purchased for multiple days.

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 20, 1995, effective Jan. 1, 1996. Amended: Filed April 25, 1996, effective March 1, 1997. Amended: Filed July 8, 1998, effective March 1, 1999. Amended: Filed Oct. 9, 2003.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate. Costs of the change will be minimal, limited to updating brochures, tables, price lists, etc., all items which are always updated annually.*

*PRIVATE COST: This proposed amendment will cost private entities approximately fifty-six thousand three hundred ninety-five dollars (\$56,395) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

## FISCAL NOTE PRIVATE ENTITY COST

### I. RULE NUMBER

Title: 3 - Department of Conservation

Division: 10 Conservation Commission

Chapter: 5

Type of Rulemaking: Proposed amendment

Rule Number and Name: 3 CSR 10-5.445 Daily Small Game Hunting Permit

### II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
11,279 daily hunting permit buyers	N/A	\$56,395

### III. WORKSHEET

11,279 daily hunting permit buyers X \$1.00 increase per permit sold = \$11,279 aggregate cost per year.  
\$11,279 per year X the assumed 5 year life of the regulation = \$56,395 total aggregate cost over the 5 year term.

### IV. ASSUMPTIONS

Number of permit buyers is based on historic sales data.

Based on Permit Year (March 1 through last day of February next following) NOT fiscal year.

Based on an average five-year life cost. All permit fees are reviewed annually and adjustments made as needed—normally within five years—to remain competitive with other states.



**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 5—Wildlife Code: Permits**

**PROPOSED RESCISSION**

**3 CSR 10-5.470 Hound Running Area User Permit.** This rule established an annual permit for use on a hound running area by those not possessing a valid Missouri hunting permit or exempt from permit requirements.

*PURPOSE:* This permit is being rescinded because it is no longer used. It was intended for use on a hound running area, as an alternative to possessing a regular small game hunting permit. Demand for this permit has never been significant, however, and none have been sold for the last three (3) years.

*AUTHORITY:* sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-5.289. Original rule filed Sept. 29, 1994, effective July 1, 1995. Changed to 3 CSR 10-5.470, effective Jan. 1, 1996. Amended: Filed Oct. 9, 2003.

*PUBLIC COST:* This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rescission with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 5—Wildlife Code: Permits**

**PROPOSED AMENDMENT**

**3 CSR 10-5.570 Nonresident Furbearer Hunting and Trapping Permit.** The commission proposes to amend provisions of this rule.

*PURPOSE:* This amendment specifically includes chase as a privilege to mean "without the intent to take" to the nonresident furbearer hunting and trapping permit.

To **chase**, pursue, take, possess, transport and sell furbearers. Fee: eighty dollars (\$80).

*AUTHORITY:* sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-5.292. Original rule filed June 29, 1981, effective Oct. 11, 1981. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Oct. 9, 2003.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be

received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 6—Wildlife Code: Sport Fishing: Seasons,  
Methods, Limits**

**PROPOSED AMENDMENT**

**3 CSR 10-6.415 Restricted Zones.** The commission proposes to delete section (6).

*PURPOSE:* This amendment opens the waters of the James River below Lake Springfield Dam to snagging and grabbing.

*[(6) Fish may be taken by all prescribed methods except snagging, snaring and grabbing from James River from below Lake Springfield Dam to the Highway 160 bridge.]*

*AUTHORITY:* sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 13, 1994, effective Jan. 1, 1995. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Oct. 9, 2003.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 6—Wildlife Code: Sport Fishing: Seasons,  
Methods, Limits**

**PROPOSED AMENDMENT**

**3 CSR 10-6.505 Black Bass.** The commission proposes to amend sections (1) and (4).

*PURPOSE:* This amendment reduces the daily limit and increases the minimum length limit on black bass on the Elk River in McDonald County, and reduces the daily limit and raises the minimum length limit on smallmouth bass on the Big River in St. Francois County.

(1) Daily Limit: Six (6) in the aggregate, including smallmouth bass, largemouth bass, spotted bass and all black bass hybrids, except:

(C) The daily limit is two (2) black bass on Montrose Lake **and the Elk River**.

(D) On the Meramec, Big and Bourbeuse rivers and their tributaries, the daily and possession limit for black bass is twelve (12) in the aggregate and may include no more than six (6) largemouth bass and smallmouth bass in the aggregate, except that the daily limit may include no more than one (1) smallmouth bass on the Big River from [the Highway 21 bridge (near Washington State Park)] **Leadwood Access** to its confluence with the Meramec River, the Meramec River from Scott's Ford to the railroad crossing at Bird's

Nest, and Mineral Fork from the Highway F bridge (Washington County) to its confluence with the Big River.

(4) Length Limits.

(A) Streams: All black bass less than twelve inches (12") in total length must be returned to the water unharmed immediately after being caught from the unimpounded portion of any stream, including Pools 20-26 on the Mississippi River, except as follows:

1. On the Meramac, Big and Bourbeuse rivers and their tributaries, there is no length limit on spotted (Kentucky) bass.

2. On the Big Piney River from Slabtown Access to Ross Access, the Eleven Point River from Thomasville Access to the Arkansas line, the Meramec River from Scott's Ford to the railroad crossing at Bird's Nest, the Big River from [the Highway 21 bridge (near Washington State Park)] Leadwood Access to its confluence with the Meramec River, Mineral Fork from the Highway F bridge (Washington County) to its confluence with the Big River, Osage Fork of the Gasconade River from the Skyline Drive bridge (near Orla in Laclede County) to its confluence with the Gasconade River and Tenmile Creek from the Highway B bridge (Carter County) to its confluence with Cane Creek, all smallmouth bass less than fifteen (15") in total length must be returned to the water unharmed immediately after being caught.

3. On the Jacks Fork River from Highway 17 bridge to Highway 106 bridge and the Gasconade River from Highway Y bridge (Pulaski County) to Highway D bridge (Phelps County), all smallmouth bass less than eighteen inches (18") in total length must be returned to the water unharmed immediately after being caught.

4. On the James River from Hooten Town bridge (Stone County Road A-90) to Highway 13 bridge, all smallmouth bass and largemouth bass less than fifteen inches (15") must be returned to the water unharmed immediately after being caught.

5. On the Elk River, all black bass less than fifteen inches (15") in total length must be returned to the water unharmed immediately after being caught.

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 13, 1994, effective Jan. 1, 1995. For intervening history, please consult the Code of State Regulations. Amended: Filed Oct. 9, 2003.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 6—Wildlife Code: Sport Fishing: Seasons,  
Methods, Limits**

**PROPOSED AMENDMENT**

**3 CSR 10-6.510 Channel Catfish, Blue Catfish, Flathead Catfish.** The commission proposes to amend sections (1) and (4).

*PURPOSE: This amendment establishes a reduced daily limit and a minimum length limit on flathead catfish at Longview Lake in Jackson County.*

(1) Daily Limit: Ten (10) channel catfish and blue catfish in the aggregate and five (5) flathead catfish, except:

**(D) On Longview Lake, the daily limit is one (1) flathead catfish.**

(4) Length Limits: No length limits, except:

(A) [from] **From** the no fishing zone below Truman Dam downstream throughout the no boating zone, the daily limit of channel catfish, blue catfish and flathead catfish may include only one (1) fish more than twenty-four inches (24") in total length.

**(B) All flathead catfish less than twenty-four inches (24") in total length must be returned to the water unharmed immediately after being caught from Longview Lake.**

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 13, 1994, effective Jan. 1, 1995. For intervening history, please consult the Code of State Regulations. Amended: Filed Oct. 9, 2003.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 6—Wildlife Code: Sport Fishing: Seasons,  
Methods, Limits**

**PROPOSED AMENDMENT**

**3 CSR 10-6.525 Paddlefish.** The commission proposes to amend section (7).

*PURPOSE: This amendment prohibits the possession of paddlefish on the banks adjacent to waters where paddlefish snagging and possession are prohibited, and opens the James River from Lake Springfield Dam to the Highway 160 bridge to the harvest of paddlefish.*

(7) Paddlefish may not be possessed on [waters] **the water or adjacent banks** from Truman Dam downstream throughout the no-boating zone[, on] **and** the Little Platte River from Smithville Dam downstream to U.S. Highway 169[, and from James River from below Lake Springfield Dam to the highway 160 bridge].

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 13, 1994, effective Jan. 1, 1995. For intervening history, please consult the Code of State Regulations. Amended: Filed Oct. 9, 2003.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 6—Wildlife Code: Sport Fishing: Seasons,  
Methods, Limits**

**PROPOSED AMENDMENT**

**3 CSR 10-6.530 Rock Bass (goggle-eye) and Warmouth.** The commission proposes to amend sections (1) and (4).

*PURPOSE: This amendment eliminates the experimental rock bass harvest regulations on a portion of the Big Piney River and establishes an eight inch (8") minimum length limit on rock bass on the Big Piney River downstream of the Highway 17 bridge in Texas County.*

(1) Daily Limit: Fifteen (15) in the aggregate[, except on the Big Piney River from Highway 17 bridge to Sand Shoals bridge on the county road linking Routes AA and E where the daily limit is nine (9)].

(4) Length Limits: No length limits, except[:/] all rock bass less than eight inches (8") in total length must be returned to the water unharmed immediately after being caught on the Big Piney River from Highway 17 bridge (in Texas County) to its confluence with the Gasconade River, the Eleven Point River from Thomasville access to the Arkansas line and the Osage Fork of the Gasconade River from Skyline Drive bridge (near Orla in Laclede County) to its confluence with the Gasconade River.

*[(A) All rock bass less than nine inches (9") in total length must be returned to the water unharmed immediately after being caught on the Big Piney River from Highway 17 bridge to Sand Shoals bridge on the county road linking Routes AA and E.*

*(B) All rock bass less than eight inches (8") in total length must be returned to the water unharmed immediately after being caught on the Eleven Point River from Thomasville access to the Arkansas line and the Osage Fork of the Gasconade River from Skyline Drive bridge (near Orla in Laclede County) to its confluence with the Gasconade River.]*

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 13, 1994, effective Jan. 1, 1995. For intervening history, please consult the Code of State Regulations. Amended: Filed Oct. 9, 2003.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 7—Wildlife Code: Hunting: Seasons, Methods,  
Limits**

**PROPOSED AMENDMENT**

**3 CSR 10-7.405 General Provisions.** The commission proposes to amend section (5).

*PURPOSE: This amendment clarifies and strengthens the intent of this rule.*

(5) Wildlife, except raccoons or other furbearing animals when treed with the aid of dogs, may not be searched for, spotlighted, located, harassed or disturbed in any manner with the aid of an artificial light, headlight or spotlight from any roadway, whether public or private, or in any field, woodland or forest, by any person acting either singly or as one of a group of persons. This rule shall not apply to the use of a light by a landowner or lessee as defined by this Code on property under his/her control.

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed Aug. 26, 1964, effective Dec. 31, 1964. For intervening history, please consult the Code of State Regulations. Amended: Filed Oct. 9, 2003.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 7—Wildlife Code: Hunting: Seasons, Methods,  
Limits**

**PROPOSED AMENDMENT**

**3 CSR 10-7.410 Hunting Methods.** The commission proposes to amend subsections (1)(K) and (L).

*PURPOSE: This amendment allows furbearers to be pursued any time with electronic calls, but without the aid of an artificial light.*

(1) Wildlife may be hunted and taken only in accordance with the following:

(K) Cage-Type Trap. **Groundhogs, /R/rabbits and squirrels** may be taken by cage-type trap, the opening of which may not exceed **[ten inches (10") on any side] one hundred forty-four (144) square inches**, during the open hunting season, at any hour, by the holder of a hunting permit. Cage-type traps shall be plainly labeled on a durable material with the user's full name and address and shall be attended daily.

(L) Electronic Calls. Electronic calls may be used *[during daylight hours only]* to pursue and take crows and furbearers, **but without the aid of an artificial light or night vision equipment.**



**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. Original rule filed July 22, 1974, effective Dec. 31, 1974. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Oct. 9, 2003.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 7—Wildlife Code: Hunting: Seasons, Methods, Limits**

**PROPOSED AMENDMENT**

**3 CSR 10-7.425 Squirrels: Seasons, Limits.** The commission proposes to amend provisions of this rule.

**PURPOSE:** This amendment extends squirrel season through February 15.

Squirrels may be taken from the fourth Saturday in May through [January] **February 15**. Daily limit: six (6) squirrels; possession limit: twelve (12) squirrels.

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. Original rule filed Aug. 26, 1975, effective Dec. 31, 1975. Amended: Filed July 13, 1976, effective Jan. 1, 1977. Amended: Filed Aug. 29, 1983, effective Jan. 1, 1984. Amended: Filed Aug. 3, 1984, effective Jan. 1, 1985. Amended: Filed Aug. 6, 1985, effective Jan. 1, 1986. Amended: Filed May 30, 1995, effective Jan. 1, 1996. Amended: Filed May 6, 1998, effective March 1, 1999. Amended: Filed April 24, 2000, effective March 1, 2001. Amended: Filed Oct. 9, 2003.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 7—Wildlife Code: Hunting: Seasons, Methods, Limits**

**PROPOSED AMENDMENT**

**3 CSR 10-7.450 Furbearers: Hunting Seasons, Methods.** The commission proposes to amend provisions of this rule.

**PURPOSE:** This amendment opens the remainder of the state to bobcat hunting and for registration and tagging bobcat pelts; clarifies wording about the sale of tagged bobcat pelts; adds five (5) days to the front of the hunting for all legal furbearers and twenty-six (26) days to the end of the furbearer hunting season; and, provides for additional time allotted to fur takers to prepare and sell pelts.

Striped skunk, raccoon, opossum, badger, red fox, gray fox and bobcat may be taken in any numbers by hunting from November [20] **15** through [January 20] **February 15** [provided that bobcat may be taken only in that part of the state west and south of a line running west from the Illinois border on Interstate Highway 70 to U.S. Highway 63; north on U.S. Highway 63 to U.S. Highway 36; west on U.S. Highway 36 to U.S. Highway 65; north on U.S. Highway 65 to the Iowa border]. Pelts of furbearers may be possessed, transported, consigned for processing and sold only by the taker from November [20] **15** through [February 4] **March 1**, except that bobcats or their pelts shall be delivered by the taker to an agent of the department [in the county of harvest or any open county] for registration or tagging before selling, transferring, tanning or mounting, but not later than [February 4] **March 1**. Tagged bobcats or their pelts may be possessed **and sold** throughout the year. It shall be illegal to purchase or sell untagged bobcats or their pelts. Other pelts may be delivered or shipped and consigned by the taker to a licensed taxidermist or tanner before the close of the possession season for pelts. These pelts must be recorded by the taxidermist or tanner and shall not enter the raw fur market. After tanning, pelts may be possessed, bought or sold without permit. Skinned carcasses of legally taken furbearers may be sold by the taker throughout the year. Coyotes may be taken by hunting, and pelts and carcasses may be possessed, transported and sold in any numbers throughout the year; except that coyotes may not be chased, pursued or taken during daylight hours from April 1 through the day prior to the beginning of the prescribed spring turkey hunting season, and may not be chased, pursued or taken through the prescribed spring turkey hunting season, and no furbearers may be chased, pursued or taken during daylight hours with the aid of dogs from November 1 through the prescribed November portion of the firearms deer hunting season, during any extended firearms deer hunting season in deer management units open to hunting or with firearms from a boat at night[, or be taken with the aid of an electronic call at night]. The dens or nests of furbearers shall not be molested or destroyed. No person shall accept payment for furbearers taken by another.

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. Original rule filed Aug. 16, 1972, effective Dec. 31, 1972. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Oct. 9, 2003.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 8—Wildlife Code: Trapping: Seasons, Methods**

**PROPOSED AMENDMENT**

**3 CSR 10-8.510 Use of Traps.** The commission proposes to amend provisions of this rule.

*PURPOSE: This amendment adds "foot-enclosing type traps" to the list of legal devices, allows colony traps for muskrats, allows the use of electronic calls in conjunction with traps, and adds the use of cable restraint devices as a legal method for taking furbearers.*

*[Traps shall be metal traps with smooth or rubber jaws only, Egg-type traps, cage-type traps or snares set under water only, but shall not include pitfalls, deadfalls, snares set in a dry-land set, nets and colony traps. Traps and snares shall be plainly labeled, on durable material, with the user's full name and address. Wildlife shall be removed or released from all traps daily, except for killer (Conibear-type) traps set under water, and they shall be attended and wildlife removed at least once every forty-eight (48) hours. Traps may not be set in paths made or used by persons or domestic animals and Conibear-type traps may not be set along public roadways, except under water in permanent waters. Except as provided in 3 CSR 10-4.130, only cage-type traps may be set within one hundred fifty feet (150') of any residence or occupied building located within the established boundaries of cities or towns containing ten thousand (10,000) or more inhabitants. No killer or Conibear-type trap with a jaw spread greater than five inches (5") shall be used in any dry land set but these traps may be set under water and traps with a jaw spread not greater than eight inches (8") may be set six feet (6') or more above ground level in buildings. Snares must have a loop fifteen inches (15") or less in diameter when set and must have a stop device that prevents the snare from closing to less than two and one-half inches (2 1/2") in diameter. Snares must be constructed of cable that is at least five sixty-fourths inch (5/64") and no greater than one-eighth inch (1/8") in diameter, and must be equipped with a mechanical lock and anchor swivel. Homes, dens or nests of furbearers shall not be molested or destroyed.]*

(1) Traps shall have smooth or rubber jaws only, and may include foot-hold traps, killing-type (Conibear-type) traps, foot-enclosing-type traps, cage-type traps, colony traps with openings no greater than six inches (6") in height and six inches (6") wide, or snares (as defined in 3 CSR 10-20.805) set under water only, and cable restraint devices (as defined in 3 CSR 10-20.805), but only with the prescribed permit. Use of pitfalls, deadfalls, snares set in a dry land set, and nets are prohibited.

(2) Traps, snares and cable restraint devices shall be plainly labeled, on durable material, with the user's full name and address. Wildlife shall be removed or released from all restraining traps and cable restraint devices daily. Killer (Conibear-type) traps set under water and colony traps set under water shall be attended and wildlife removed at least once every forty-eight (48) hours. Traps may not be set in paths made or used by persons or domestic animals and Conibear-type traps may not be set along public roadways, except under water in permanent waters. Except as provided in 3 CSR 10-4.130, only cage-type traps or foot-enclosing-type traps may be set within one hundred fifty feet (150') of any resident or occupied building located within the established boundaries of cities or towns containing ten thousand (10,000) or more inhabitants. Homes, dens or nests of furbearers

shall not be molested or destroyed. Traps may be used in conjunction with electronic calls.

**(3) Use of Conibear-Type or Killing-Type Traps:**

(A) No Conibear-type trap with a jaw spread greater than five inches (5") shall be used in any dry land set.

(B) Conibear-type traps with a jaw spread not greater than eight inches (8") may be set six feet (6') or more above ground level in buildings.

(C) Conibear-type traps of any size may be set under water.

**(4) Use of Snares and Cable Restraint Devices:**

(A) Snares (except as provided in subsection (4)(B)) must be set underwater. Snares (as defined in 3 CSR 10-20.805) must have a loop fifteen inches (15") or less in diameter when set and must have a stop device that prevents the snare from closing to less than two and one-half inches (2 1/2") in diameter.

(B) Furbearers may be taken by trapping through the use of cable restraint devices during specified seasons (3 CSR 10-8.515) by holders of a Cable Restraint Permit, after completing the cable restraint training course. Cable restraint devices (as defined in 3 CSR 10-20.805) must have a loop size of twelve inches (12") diameter or smaller when set, and the bottom of set restraint cable loop must be at least six inches (6") or greater above the ground. Cable restraint devices must be anchored solid or staked in a location not allowing entanglement (such as rooted, woody vegetation greater than one-half inch (1/2") in diameter), and shall not be capable of extending to within twelve inches (12") of a fence, nor shall be set using a drag, or used with a kill-pole. Cable restraint devices may not be used within one hundred fifty feet (150') of any residence, occupied building, or a driveway leading to a residence.

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed Sept. 20, 1957, effective Dec. 31, 1957. For intervening history, please consult the Code of State Regulations. Amended: Filed Oct. 9, 2003.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 8—Wildlife Code: Trapping: Seasons, Methods**

**PROPOSED AMENDMENT**

**3 CSR 10-8.515 Furbearers: Trapping Seasons.** The commission proposes to amend sections (1), (2), (3), (4) and (7) and add section (8).

*PURPOSE: This amendment opens the remainder of the state to bobcat trapping; adds five (5) days to the front of the season and twenty-six (26) days to the end of the season; modifies the existing coyote trapping season to make it consistent with general furbearer trapping season; changes "leghold" traps to "foothold" traps and adds dimensions of traps prohibited during the extended portion of the beaver*



*season; extends the time allotted to trappers for preparing and selling pelts, allows bobcats to be tagged and registered in any county; clarifies when tagged bobcat and otters may be sold and extends the time requirement for tagging; allows the use of cable restraint devices as a legal method of take and outlines conditions of use; and, makes rule consistent with other revisions.*

(1) Raccoon, opossum, striped skunk, badger, **coyote**, red fox, gray fox, bobcat, and mink may be taken in any numbers by trapping from November [20] 15 through [January 20] **February 15**.; *provided that bobcat may be taken only in that part of the state west and south of a line running west from the Illinois border on Interstate Hwy. 70 to U.S. Hwy. 63; north on U.S. Hwy. 63 to U.S. Hwy. 36; west on U.S. Hwy. 36 to U.S. Hwy. 65; north on U.S. Hwy. 65 to the Iowa border.* Beaver may be taken in any number by trapping from November [20] 15 through March 31.

(2) Otters and muskrats may be taken by trapping during specified seasons and in specified limits described below:

(A) A season limit of five (5) otters, and muskrats in any numbers may be taken from November [20] 15 through [January 20] **February 15** in Otter Management Zones A, C, and D, described as:

1. Otter Management Zone A—That portion of northwest Missouri from the Iowa border and west of a line running south on Worth County Hwy. F to Mo. Hwy. 46; south on Mo. Hwy. 46 to U.S. Hwy. 136; south on U.S. Hwy. 136 to U.S. Hwy. 169; south on U.S. Hwy. 169 to Mo. Hwy. 31; south on Mo. Hwy. 31 to U.S. Hwy. 36; east on U.S. Hwy. 36 to U.S. Hwy. 69; south on U.S. Hwy. 69 to Mo. Hwy. 10; east on Mo. Hwy. 10 to Mo. Hwy. 13; south on Mo. Hwy. 13 to Interstate Hwy. 70; west on Interstate Hwy. 70 to Mo. Hwy. 131; south on Mo. Hwy. 131 to Mo. Hwy. 2; west on Mo. Hwy. 2 to the Kansas line.

2. Otter Management Zone C—That portion of eastern Missouri east and south of a line running west from the Illinois border on Interstate Hwy. 270 to Interstate Hwy. 44; west on Interstate Hwy. 44 to Mo. Hwy. 68; south on Mo. Hwy. 68 to Mo. Hwy. 32; and north of a line comprised of Mo. Hwy. 32 east to St. Francois County Hwy. OO; south on St. Francois County Hwy. OO to St. Francois County Hwy. T; east on St. Francois County Hwy. T to Mo. Hwy. 51; and west of Mo. Hwy. 51 to the Illinois line.

3. Otter Management Zone D—That portion of southwest Missouri west and south of a line running north from the Arkansas border on Mo. Hwy. 37 to U.S. Hwy. 60; east on U.S. Hwy. 60 to Mo. Hwy. 39; north on Mo. Hwy. 39 to U.S. Hwy. 160; west on U.S. Hwy. 160 to the Kansas line.

(C) A season limit of twenty (20) otters and muskrats in any numbers may be taken from November [20] 15 through [January 20] **February 15** in Otter Management Zone B, described as:

1. Otter Management Zone B—The remainder of the state not in Otter Management Zone A, C, D, or E, as described above.

(3) Except in Otter Management Zone E, killer or Conibear-type traps with a jaw spread less than eight inches (8") and [leghold] foothold traps [smaller than number three (3)] with an inside width at the jaw post less than six inches (6") are prohibited in water sets after [January 20] **February 15**. In Otter Management Zone E, killer or Conibear-type traps with a jaw spread less than eight inches (8") and [leghold] foothold traps [smaller than number three (3)] with an inside width at the jaw post less than six inches (6") are prohibited for trapping beavers after February 20. [Coyotes may be taken in any numbers by trapping from November 20 through February 20.] Traps may not be placed or set before November [20] 15 and must be removed by midnight of the last day of the trapping season.

(4) Pelts of furbearers may be possessed, transported and sold only by the taker from November [20] 15 through [February 4] **March 1**, [except that pelts of coyotes and pelts of muskrats taken in Otter Management Zone E may be possessed, transported, consigned for processing and sold by the taker from November 20 through March 1,] pelts of beaver may be possessed, transported, consigned for processing and sold by the taker from November [20] 15 through April 10, and tagged bobcats and otters or their pelts may be possessed **and sold** throughout the year. Bobcats or their pelts shall be delivered by the taker to an agent of the department [in any open county] for registration or tagging; otters shall be delivered by the taker to an agent of the department only in the Otter Management Zone of harvest for registration or tagging. Bobcats and otters shall be registered or tagged before selling, transferring, tanning or mounting not later than [February 4] **March 1**, except for otters taken in Otter Management Zone E, not later than March 4. It shall be illegal to purchase or sell untagged bobcats and otters or their pelts. Other pelts may be delivered or shipped and consigned by the taker to a licensed taxidermist or tanner before the close of the possession season for pelts. These pelts must be recorded by the taxidermist or tanner and shall not enter the raw fur market. After tanning, pelts may be possessed, bought or sold without permit. Skinned carcasses of legally taken furbearers may be sold by the taker throughout the year. (Certain Department of Health and Senior Services rules also govern how furbearer carcasses might be utilized.)

(7) Red fox, gray fox and coyotes may be taken alive during established seasons by prescribed methods and held in captivity. They may not be exported and may only be sold or given to holders of a valid Hound Running Area Operator's Permit. **Coyotes**, [R/red fox and gray fox may not be possessed after [February 4] **March 1**; *coyotes may not be possessed after February 25*]. These animals may be held for no longer than seventy-two (72) hours after capture, except when confined in facilities and cared for as specified in 3 CSR 10-9.220, and after approval by an agent of the department. Complete and current records of all transactions must be maintained showing the county of origin, the species, date captured, date of transfer and name and permit number of the hound running area operator/dealer receiving each individual animal. These records shall be kept on forms provided by the department and submitted to an agent of the department by [March] **April 15**. Records shall be made available for inspection by an authorized agent of the department at any reasonable time.

(8) Furbearers may be taken by trapping through the use of cable restraint devices from December 15 through February 15, by holders of a Cable Restraint Permit. This permit may be issued only to the holder of a Resident Trapping Permit who has successfully completed a cable restraint training course, validated by a certified instructor. Cable restraint devices (as defined in 3 CSR 10-20.805) must have a loop size of twelve inches (12") diameter or smaller when set, and the bottom of set restraint cable loop must be at least six inches (6") or greater above the ground. Cable restraint devices must be anchored solid or staked in a location not allowing entanglement (such as rooted, woody vegetation greater than one-half inch (1/2") in diameter), and shall not be capable of extending to within twelve inches (12") of a fence, nor shall be set using a drag, or used with a kill-pole. Cable restraint devices may not be used within one hundred fifty feet (150') of any dwelling or a driveway leading to a dwelling. All cable restraint devices shall be plainly labeled, on durable material, with the user's full name and address and shall be attended daily.

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed July 23, 1974, effective Dec. 31, 1974. For intervening history, please consult the Code of State Regulations. Amended: Filed Oct. 9, 2003.*

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 9—Wildlife Code: Confined Wildlife: Privileges,**  
**Permits, Standards**

**PROPOSED AMENDMENT**

**3 CSR 10-9.110 General Prohibition; Applications.** The commission proposes to amend sections (2) and (3).

**PURPOSE:** This amendment removes reference to Korean Pheasants; corrects a cross-referencing error and adds the American eel and white sucker to the Approved Aquatic Species List; adds papershell crayfish to the Approved Aquatic Species list; and, clarifies the restrictions on the culture of species not on the Approved Aquatic Species List.

(2) Except for federally-designated endangered species and species listed in 3 CSR 10-9.240, the following may be bought, sold, possessed, transported and exhibited without permit: Asiatic clams (*Corbicula* species) taken from impoundments that are not waters of the state; bison; amphibians, reptiles and mammals not native to Missouri; and those birds (except ring-necked [and Korean] pheasants and gray partridge) not native to the continental United States.

(3) Fish, tiger salamander larvae and crayfish may be bought, sold, transported, propagated, taken and possessed by any person without permit throughout the year in any number or size and by any method, providing—

(D) That the privileges of this section do not apply to taking or possession in, on or from waters of the state, waters stocked by the state, or waters subject to movements of fishes into and from waters of the state, except:

1. Animals defined as live bait and possessed under provisions of this section may be possessed on the waters of the state for use as live bait.

2. Fish cultured by a commercial fish producer that remain in a man-made impoundment following inundation by flooding from waters of the state as defined in this Code shall be considered the property of the impoundment owner; provided the remaining fish species are the same as were present in the impoundment prior to inundation. Any other fish species in the impoundment shall be considered the property of the state and not available for sale, and shall be returned unharmed immediately to the waters of the state when harvested.

3. With the written authorization of the director, a privately-owned impoundment that is entirely confined and located completely upon lands owned or leased by a single person or by two (2) or more persons jointly or as tenants in common or by corporate shareholders, and that is designated as waters of the state, may be used for the commercial production of species listed in the Approved Aquatic Species List in 3 CSR 10-9.110 (3)/(E)/(F) that were not stocked by the department, provided that:

A. The impoundment owner has in his/her possession a dated, written statement showing the number or weight of each species stocked as proof that such animals were legally obtained from other than waters of the state or from a licensed commercial fisherman.

B. The species being produced may be harvested by the methods and under the conditions specified in the director's written authorization. All other species caught during culture activities must be returned unharmed immediately to the water.

C. Statewide seasons, methods and limits apply for all other species.

(E) That the privileges of this section apply only to **the following:**

1. *[species]* **Species** listed in the Approved Aquatic Species List (including all subspecies, varieties and hybrids of the same bought, sold, transported, propagated, taken and possessed for purposes of aquaculture)/./.

2. *[species]* **Species** frozen or processed for sale as food products/./.

3. *[species]* **Species** incapable of surviving in fresh water/./.

4. *[species]* **Species** held only in aquaria, tanks or other [closed] containers having water discharged only into [approved] septic systems or municipal waste treatment facilities [or on-site waste treatment systems that include sand filtration or chlorination, or with written authorization of the director] that are designed and operated according to guidelines of the Missouri Department of Natural Resources.

5. **Species held only in a closed system from which the escape of live organisms (including eggs, parasites and diseases) is not possible. The species to be held and the system to be used must receive prior written approval from the director.**

(F) **Approved Aquatic Species List.**

1. Fishes.

A. Shovelnose sturgeon (*Scaphirhynchus platyrhynchus*)

B. Paddlefish (*Polyodon spathula*)

C. Spotted gar (*Lepisosteus oculatus*)

D. Longnose gar (*Lepisosteus osseus*)

E. Shortnose gar (*Lepisosteus platostomus*)

F. Bowfin (*Amia calva*)

**G. American eel (*Anguilla rostrata*)**

*/G./H.* Gizzard shad (*Dorosoma cepedianum*)

*/H./I.* Threadfin shad (*Dorosoma petenense*)

*/I./J.* Rainbow trout (*Oncorhynchus mykiss*)

*/J./K.* Golden trout (*Oncorhynchus aquabonita*)

*/K./L.* Cutthroat trout (*Oncorhynchus clarkii*)

*/L./M.* Brown trout (*Salmo trutta*)

*/M./N.* Brook trout (*Salvelinus fontinalis*)

*/N./O.* Coho salmon (*Oncorhynchus kisutch*)

*/O./P.* Northern pike (*Esox lucius*)

*/P./Q.* Muskellunge (*Esox masquinongy*)

*/Q./R.* Goldfish (*Carassius auratus*)

*/R./S.* Grass carp (*Ctenopharyngodon idella*)

*/S./T.* Common carp (*Cyprinus carpio*)

*/T./U.* Bighead carp (*Hypophthalmichthys nobilis*)

*/U./V.* Golden shiner (*Notemigonus crysoleucas*)

*/V./W.* Bluntnose minnow (*Pimephales notatus*)

*/W./X.* Fathead minnow (*Pimephales promelas*)

*/X./Y.* River carpsucker (*Carpiodes carpio*)

*/Y./Z.* Quillback (*Carpiodes cyprinus*)

**AA. White sucker (*Catostomus commersoni*)**

*/Z./BB.* Blue sucker (*Cycleptus elongatus*)

*/AA./CC.* Bigmouth buffalo (*Ictiobus cyprinellus*)

*/BB./DD.* Black bullhead (*Ameiurus melas*)

*/CC./EE.* Yellow bullhead (*Ameiurus natalis*)

*/DD./FF.* Brown bullhead (*Ameiurus nebulosus*)

*/EE./GG.* Blue catfish (*Ictalurus furcatus*)

*/FF./HH.* Channel catfish (*Ictalurus punctatus*)

*/GG./II.* Flathead catfish (*Pylodictis olivaris*)

*/HH./JJ.* Mosquitofish (*Gambusia affinis*)



[II.]/KK. White bass (*Morone chrysops*)  
 [JJ.]/LL. Striped bass (*Morone saxatilis*)  
 [KK.]/MM. Green sunfish (*Lepomis cyanellus*)  
 [LL.]/NN. Pumpkinseed (*Lepomis gibbosus*)  
 [MM.]/OO. Warmouth (*Lepomis gulosus*)  
 [NN.]/PP. Orangespotted sunfish (*Lepomis humilis*)  
 [OO.]/QQ. Bluegill (*Lepomis macrochirus*)  
 [PP.]/RR. Longear sunfish (*Lepomis megalotis*)  
 [QQ.]/SS. Redear sunfish (*Lepomis microlophus*)  
 [RR.]/TT. Smallmouth bass (*Micropterus dolomieu*)  
 [SS.]/UU. Spotted bass (*Micropterus punctulatus*)  
 [TT.]/VV. Largemouth bass (*Micropterus salmoides*)  
 [UU.]/WW. White crappie (*Pomoxis annularis*)  
 [VV.]/XX. Black crappie (*Pomoxis nigromaculatus*)  
 [WW.]/YY. Yellow perch (*Perca lavescentis*)  
 [XX.]/ZZ. Sauger (*Stizostedion canadense*)  
 [YY.]/AAA. Walleye (*Stizostedion vitreum*)  
 [ZZ.]/BBB. Freshwater drum (*Aplodinotus grunniens*)

2. Crustaceans.

A. Freshwater prawn (*Macrobrachium rosenbergii*)  
 B. Northern crayfish (*Orconectes virilis*)  
 C. White river crayfish (*Procambarus acutus*)  
 D. Red swamp crayfish (*Procambarus clarkii*)  
 E. Papershell crayfish (*Orconectes immunis*)

3. Amphibians.

A. Tiger salamander larvae  
 (*Ambystoma tigrinum*)

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. This rule was previously filed as 3 CSR 10-4.110(5), (6) and (10). Original rule filed June 26, 1975, effective July 7, 1975. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Oct. 9, 2003.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 9—Wildlife Code: Confined Wildlife:**  
**Privileges, Permits, Standards**

**PROPOSED AMENDMENT**

**3 CSR 10-9.565 Licensed Hunting Preserve: Privileges.** The commission proposes to amend subsections (1)(A) and (B).

**PURPOSE:** This amendment will allow persons who purchase a licensed hunting preserve hunting permit to hunt on Game Bird Hunting Preserves without possessing a hunter education certificate card, and clarifies land and area requirements for big game hunting preserves.

(1) Licensed hunting preserves are subject to inspection by an agent of the department at any reasonable time. Animal health standards and movement activities shall comply with all state and federal regulations. Any person holding a licensed hunting preserve permit may

release on his/her licensed hunting preserve legally acquired pheasants, exotic partridges, quail and ungulates (hoofed animals) for shooting throughout the year, under the following conditions:

(A) Game Bird Hunting Preserve.

1. The game bird hunting preserve shall be a single body of land not less than one hundred sixty (160) acres and no more than six hundred forty (640) acres in size. Game bird hunting preserves may be dissected by public roads, and shall be posted with signs specified by the department. Hunting preserve permits will not be issued for areas—

A. Within five (5) miles of any area where there is an ongoing department game bird release program or where the most recent release of department game birds has been made less than five (5) years prior to receipt of the application.

B. In any location where those activities are considered by the department as likely to further jeopardize any species currently designated by Missouri or federal regulations as threatened or endangered wildlife.

2. Any person taking or hunting game birds on a licensed hunting preserve shall have in his/her possession a valid hunting **small game** permit or licensed hunting preserve hunting permit, except that persons fifteen (15) years of age or younger, when accompanied by a properly licensed adult hunter, and residents sixty-five (65) years of age and older, may hunt without permit. **Licensed hunting preserve hunting permits may be issued to persons without requiring display of a hunter education certificate card for use on game bird hunting preserves; provided s/he is hunting in the immediate presence of a properly licensed adult hunter who has in his/her possession a valid hunter education certificate card.**

3. Game birds taken on a hunting preserve may be possessed and transported from the preserve only when accompanied by a receipt listing the date, number and species taken, and name of the hunting preserve; or when accompanied by an approved transportation sticker for each game bird taken. Transportation stickers must be purchased from the department by the hunting preserve permittee. Game birds may be taken in any numbers on these preserves.

4. The permittee must release during the shooting season at least one (1) game bird per acre of hunting preserve, with at least one-half (1/2) of the birds to be bobwhite quail, if quail are to be hunted outside the statewide season. All birds shall be from a source approved by the department.

5. Any propagation facilities contained within or adjacent to the game bird hunting preserve shall meet standards specified in 3 CSR 10-9.220. Breeding enclosures not contained within or adjacent to the hunting preserve are not covered under the privileges of this rule.

(B) Big Game Hunting Preserve.

1. The **big game** hunting preserve for ungulates shall be a **fenced** single body of land, **not dissected by public roads, and** not less than three hundred twenty (320) acres and no more than three thousand two hundred (3,200) acres in size~~/~~. **The hunting preserve shall be fenced** so as to enclose and contain all released game and exclude all hoofed wildlife of the state from becoming a part of the enterprise and posted with signs specified by the department. Fence height shall meet standards specified in 3 CSR 10-9.220.

2. All elk, elk-hybrids, mule deer, and white-tailed deer introduced into a big game hunting preserve shall meet the following requirements:

A. Animals shall be tagged or marked in a method allowing individual animal identification.

B. Animals imported into Missouri must come from a herd that is enrolled and has achieved a status three (3) or higher in a United States Department of Agriculture approved or state-sponsored chronic wasting disease monitoring program—three (3) years of surveillance, advancement, and successful completion of program requirements.

C. Animals from within Missouri must come from a herd comprised of animals enrolled in a United States Department of Agriculture approved or state-sponsored chronic wasting disease

monitoring program. Effective January 1, 2004, the minimum herd status requirement will annually increase by one (1) level until January 1, 2006 when all introduced animals shall come from herds that have achieved a status three (3) or higher—three (3) years of surveillance, advancement, and successful completion of program requirements.

3. Effective January 1 of each year, one hundred percent (100%) of all elk, elk-hybrids, mule deer, and white-tailed deer over twelve (12) months of age that die of any cause within a big game hunting preserve operation, shall be tested for chronic wasting disease at a federally approved laboratory, up to an annual total of ten (10) animals in the aggregate, except:

A. Big game hunting preserve operations that have not introduced, during the past three (3) years, any elk, elk-hybrids, mule deer or white-tailed deer from a herd having a status less than three (3) as documented through a United States Department of Agriculture approved or state-sponsored chronic wasting disease monitoring program—three (3) years of surveillance, advancement, and successful completion of program requirements.

B. Elk, elk-hybrids, mule deer, and white-tailed deer documented through Missouri's Chronic Wasting Disease Monitoring Program as status five (5) herds—five (5) years of surveillance, advancement, and successful completion of program requirements.

4. All permits issued by the state veterinarian's office allowing cervids to enter Missouri and all chronic wasting disease test results must be kept by the permittee and are subject to inspection by an agent of the department at any reasonable time. All test results documenting a positive case of chronic wasting disease shall be reported immediately to an agent of the department.

5. The permittee may exercise privileges provided in 3 CSR 10-9.353 only for species held within breeding enclosure(s) contained within **or directly adjacent to** the big game hunting preserve. Any **such** breeding enclosure(s) *[contained within the big game hunting preserve]* shall meet standards specified in 3 CSR 10-9.220. **Breeding enclosures may be separated from the hunting preserve by a public road, but must be directly adjacent. Other breeding enclosures not contained within or directly adjacent to the hunting preserve are not covered under the privileges of this rule.**

6. Any person taking or hunting ungulates on a big game hunting preserve shall have in his/her possession a valid licensed hunting preserve hunting permit. The permittee shall attach to the leg of each ungulate taken on the **hunting** preserve a locking leg seal furnished by the department, for which the permittee shall pay ten dollars (\$10) per one hundred (100) seals. Any packaged or processed meat shall be labeled with the licensed hunting preserve permit number.

7. Animal health standards and movement activities shall comply with all state and federal regulations.

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-10.765. Original rule filed Jan. 19, 1972, effective Feb. 1, 1972. For intervening history, please consult the Code of State Regulations. Amended: Filed Oct. 9, 2003.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 9—Wildlife Code: Confined Wildlife: Privileges,  
Permits, Standards**

**PROPOSED AMENDMENT**

**3 CSR 10-9.575 Hound Running Area: Privileges, Requirements.** The commission proposes to amend section (6).

*PURPOSE: This amendment removes the Hound Running Area User permit as an allowed permit for this privilege, and clarifies that a small game hunting permit is required.*

(6) Any person releasing dogs on a hound running area shall have in his/her possession a valid *[Missouri]* **small game** hunting permit *[or a Hound Running Area User Permit, except that Missouri residents fifteen (15) years of age and under and sixty-five (65) years of age and over are exempt from this requirement].*

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed Sept. 29, 1994, effective July 1, 1995. Amended: Filed June 11, 1997, effective March 1, 1998. Amended: Filed April 30, 2001, effective Sept. 30, 2001. Amended: Filed May 9, 2002, effective March 1, 2003. Amended: Filed Oct. 9, 2003.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 9—Wildlife Code: Confined Wildlife:  
Privileges, Permits, Standards**

**PROPOSED AMENDMENT**

**3 CSR 10-9.625 Field Trial Permit.** The commission proposes to amend section (6) of this rule.

*PURPOSE: The proposed change would allow other federally approved methods for marking mallard ducks prior to release.*

(6) Designated gunners, under the field trial permit, may shoot only quail, pheasants, chukars and mallard ducks legally obtained. **Quail, pheasants and chukars shall be *[and]* marked with a permanent avian leg band prior to release. Mallard ducks shall be marked with a permanent avian leg band, removal of the hind toe from the right foot, or tattooing of a readily discernible number or letter or combination on the web of one foot.**

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed Aug. 27, 1975, effective Dec. 31, 1975. For intervening history, please consult the Code of State Regulations. Amended: Filed Oct. 9, 2003.*

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 9—Wildlife Code: Confined Wildlife:  
Privileges, Permits, Standards**

**PROPOSED AMENDMENT**

**3 CSR 10-9.628 Dog Training Area: Privileges.** The commission proposes to amend sections (1) and (2).

*PURPOSE:* This rule clarifies and expands the intended privileges under this permit and increases the maximum acreage size to forty (40) acres.

(1) A dog training area permit is required to operate a dog training area, and to purchase, hold, release and shoot on the training area legally acquired pheasants, exotic partridge and quail *[as an aid to dog training]*. Receipts for all game birds purchased or held must be maintained, and are subject to inspection by an authorized agent of the department at any reasonable time. Game birds held for more than twenty-four (24) hours must be confined in facilities that meet standards specified in 3 CSR 10-9.220.

(2) Dog training areas shall be a single tract of land not more than *[twenty (20)]* **forty (40)** acres in size and posted with signs, which sign is included herein, specified by the department. Multiple dog training area permits may be issued for a single tract of land.

*AUTHORITY:* sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-9.627. Original rule filed Aug. 30, 2002, effective March 1, 2003. Amended: Filed Oct. 9, 2003.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 10—Wildlife Code: Commercial Permits:  
Seasons, Methods, Limits**

**PROPOSED AMENDMENT**

**3 CSR 10-10.720 Commercial Fishing Permits.** The commission proposes to amend section (4).

*PURPOSE:* This amendment clarifies that persons exempt from sport fishing permit requirements may assist properly licensed commercial fishermen.

(4) Any person who holds the prescribed sport fishing permit **or who is exempted from sport fishing permit requirements in 3 CSR 10-5.205** may accompany and assist a licensed commercial fisherman; provided, that a licensed commercial fisherman must be present in each boat.

*AUTHORITY:* sections 40 and 45 of Art. IV, Mo. Const. Original rule filed Aug. 16, 1973, effective Dec. 31, 1973. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Oct. 9, 2003.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 10—Wildlife Code: Commercial Permits:  
Seasons, Methods, Limits**

**PROPOSED AMENDMENT**

**3 CSR 10-10.767 Taxidermy; Tanning: Permit, Privileges, Requirements.** The commission proposes to add a new section (3), amend the previous section (3) and renumber the sections accordingly.

*PURPOSE:* This amendment will permit the purchase of legally taken furbearers by licensed taxidermists or tanners; and sales of mounted or tanned furbearers or pelts.

**(3) Legally taken and possessed furbearers may be purchased by licensed taxidermists or tanners only for mounting or tanning, and only mounted or tanned specimens may be sold.**

*[(3)]* (4) All licensed taxidermists and tanners shall keep accurate, up-to-date records of the number and species of all wildlife received, the full name and address of the consignor **(or seller of furbearers)** and the dates of all transactions and disposition of all wildlife on a form approved or provided by the department. These records and wildlife shall be available for inspection by an authorized agent of the department at any reasonable time. All completed records required by this rule shall be retained for three (3) years. Renewal of a permit shall be conditioned upon compliance with this rule.

*[(4)]* (5) Pelts held under this permit after possession season for pelts shall not enter the raw fur market. All wildlife held by a licensed taxidermist or tanner shall be identifiable to the consignor. Unused parts of wildlife may be disposed of or sold by licensed taxidermists or tanners, but not for human consumption. Federal regulations apply to the mounting of migratory birds and endangered species.



**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. Original rule filed Aug. 27, 1975, effective Dec. 31, 1975. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Oct. 9, 2003.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 10—Wildlife Code: Commercial Permits:  
Seasons, Methods, Limits**

**PROPOSED AMENDMENT**

**3 CSR 10-10.768 Sales and Possession of Wildlife Parts and Mounted Specimens.** The commission proposes to amend sections (1) and (2).

**PURPOSE:** This amendment adds groundhog pelts to the list of species which may be bought and sold throughout the year and relaxes the requirement for a signed statement from sellers of deer heads and/or antlers attached to skull plates.

(1) Subject to federal regulations, legally obtained feathers, squirrel pelts, rabbit pelts, **groundhog pelts**, turkey bones, turkey heads and deer heads, antlers, hides or feet may be bought, sold or bartered when accompanied by a bill of sale showing the seller's full name, address and the number and species of these parts, and the full name and address of the purchaser. Legally taken wildlife and wildlife parts, after mounting or tanning, may be bought and sold.

(2) The recipient or purchaser of deer heads and/or antlers attached to the skull plate must retain a **dated** bill of sale *[for the period] identifying the seller while* the heads or antlers are in his/her possession. *[The bill of sale shall include the transaction date and a signed statement from the seller attesting that the deer heads and/or antlers were, to his/her knowledge, taken according to the regulations of the state or country where taken.]*

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. Original rule filed Aug. 27, 1975, effective Dec. 31, 1975. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Oct. 9, 2003.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be

received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 11—Wildlife Code: Special Regulations for  
Department Areas**

**PROPOSED AMENDMENT**

**3 CSR 10-11.180 Hunting, General Provisions and Seasons.** The commission proposes to amend section (14) of this rule.

**PURPOSE:** This amendment increases spring turkey hunting opportunity on Drury-Mincy Conservation Area.

(14) On Caney Mountain Conservation Area (fenced portion) *[and Drury-Mincy Conservation Area (Drury portion)]*, spring turkey hunting is permitted only with a longbow.

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please contact the *Code of State Regulations*. Amended: Filed Oct. 9, 2003.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 11—Wildlife Code: Special Regulations for  
Department Areas**

**PROPOSED AMENDMENT**

**3 CSR 10-11.205 Fishing, Methods and Hours.** The commission proposes to amend section (3) and add two sections.

**PURPOSE:** This amendment clarifies method restrictions at Coot Lake (James A. Reed Memorial Wildlife Area) during the November 1 through February 19 catch-and-release trout fishing season, restricts the use of aquatic education ponds on two (2) conservation areas to groups participating in aquatic education programs, and prohibits fish harvest on two (2) aquatic education ponds on the Platte Falls Conservation Area.

(3) On James A. Reed Memorial Wildlife Area:

(B) On Coot Lake, from November 1 through February 19, only flies[,] and artificial lures *[and soft plastic baits (unscented)]* may be used and fish must be returned to the water unharmed immediately after being caught.

(D) On Prairie Hollow Lake, fishing is permitted only by reservation by educational groups, and fish must be returned to the water unharmed immediately after being caught except as provided by special use permit.

(11) On the Burr Oak Woods Conservation Area aquatic education pond, fishing is permitted only by reservation by educational groups, and fish must be returned to the water unharmed immediately after being caught except as provided by special use permit.

(12) On the Platte Falls Conservation Area aquatic education ponds, fish must be returned to the water unharmed immediately after being caught.

*AUTHORITY:* sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. Amended: Filed May 9, 2002, effective March 1, 2003. Amended: Filed July 31, 2002, effective June 30, 2003. Amended: Filed May 9, 2003, effective Oct. 30, 2003. Amended: Filed Oct. 9, 2003.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 11—Wildlife Code: Special Regulations for  
Department Areas**

**PROPOSED AMENDMENT**

**3 CSR 10-11.210 Fishing, Daily and Possession Limits.** The commission proposes to amend sections (5) and (10).

*PURPOSE:* This amendment establishes a more restrictive daily limit on white bass, striped bass and their hybrids at Perry County Community Lake.

(5) [On August A. Busch Memorial Conservation Area, Harmony Mission Lake (Harmony Mission Conservation Area) and James A. Reed Memorial Wildlife Area, the] **The** daily limit for white bass, striped bass and their hybrids in the aggregate shall be four (4) [; on James A. Reed Memorial Wildlife Area, the aggregate daily limit for all other fish shall be ten (10).] **on the following department areas or individually named lakes:**

- (A) August A. Busch Memorial Conservation Area
- (B) Harmony Mission Lake (Harmony Mission Conservation Area)
- (C) Perry County Community Lake
- (D) James A. Reed Memorial Wildlife Area

(10) On Bellefontaine Conservation Area, [and] Port Hudson Lake Conservation Area **and James A. Reed Memorial Wildlife Area**, the daily limit for other fish as designated in 3 CSR 10-6.550 shall be ten (10) in the aggregate.

*AUTHORITY:* sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. Amended: Filed Aug. 30, 2001, effective Jan. 30, 2002. Amended: Filed May 9, 2002, effective March 1,

2003. Amended: Filed July 31, 2002, effective June 30, 2003. Amended: Filed Oct. 9, 2003.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 11—Wildlife Code: Special Regulations for  
Department Areas**

**PROPOSED AMENDMENT**

**3 CSR 10-11.215 Fishing, Length Limits.** The commission proposes to amend section (3).

*PURPOSE:* This amendment establishes a minimum length limit on white bass, striped bass and their hybrids at Perry County Community Lake.

(3) [On August A. Busch Memorial Conservation Area, Harmony Mission Lake (Harmony Mission Conservation Area) and James A. Reed Memorial Wildlife Area, all white] **White** bass, striped bass and their hybrids less than twenty inches (20") total length must be returned to the water unharmed immediately after being caught [.] **on the following department areas or individually named lakes:**

- (A) August A. Busch Memorial Conservation Area
- (B) Harmony Mission Lake (Harmony Mission Conservation Area)
- (C) Perry County Community Lake
- (D) James A. Reed Memorial Wildlife Area

*AUTHORITY:* sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. Amended: Filed Aug. 30, 2001, effective Jan. 30, 2002. Amended: Filed May 9, 2002, effective March 1, 2003. Amended: Filed Oct. 9, 2003.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 12—Wildlife Code: Special Regulations for  
Areas Owned by Other Entities**

### PROPOSED AMENDMENT

**3 CSR 10-12.110 Use of Boats and Motors.** The commission proposes to amend sections (2), (5) and (6).

*PURPOSE: This amendment changes restrictions on outboard motor use at Williams Creek Lake in Watkins Mill State Park and Historic Site; adds St. Charles (Kluesner Lake) to the list of lakes where boats are prohibited; and, changes the name of the lake owned by the City of Fayette.*

(2) Boats are prohibited on the following areas:

**(R) St. Charles (Kluesner Lake)**

*[(R)](S) St. Louis County (Bee Tree Lake)*

*[(S)](T) Sedalia (Clover Dell Park Lake, Liberty Park Pond)*

*[(T)](U) University of Missouri (South Farm R-1 Lake)*

(5) Outboard motors not in excess of ten (10) horsepower may be used on the following areas:

**(B) Fayette (D.C. Rogers Lake, [Fayette City Lake No. 2] Peters Lake)**

*[(I) Watkins Mill State Park Lake]*

(6) Outboard motors in excess of ten (10) horsepower may be used but must be operated at slow, no-wake speed on the following areas:

**(N) Watkins Woolen Mill State Park and Historic Site (Williams Creek Lake)**

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. Amended: Filed Aug. 30, 2001, effective Jan. 30, 2002. Amended: Filed May 9, 2002, effective March 1, 2003. Amended: Filed May 9, 2003, effective Oct. 30, 2003. Amended: Filed Oct. 9, 2003.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

### Title 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 12—Wildlife Code: Special Regulations for Areas Owned by Other Entities

### PROPOSED AMENDMENT

**3 CSR 10-12.115 Bullfrogs and Green Frogs.** The commission proposes to amend subsection (1)(B).

*PURPOSE: This amendment adds St. Charles (Kluesner Lake) to the list of lakes where frogs can only be taken by pole and line.*

(1) Bullfrogs and green frogs may be taken during the statewide season only by hand, handnet, gig, longbow, snagging, snaring, grabbing or pole and line except as further restricted by this chapter.

(B) Only pole and line may be used to take frogs on the following areas:

1. Bridgeton (Kiwani Lake)

2. Butler City Lake

3. Kirkwood (Walker Lake)

4. Mineral Area College (Quarry Pond)

5. Overland (Wild Acres Park Lake)

6. Potosi (Roger Bilderback Lake)

**7. St. Charles (Kluesner Lake)**

*[7.]8. St. Louis County (Bee Tree Lake, Creve Coeur Lake, Simpson Lake, Spanish Lake, Sunfish Lake)*

*[8.]9. Sedalia (Clover Dell Park Lake, Liberty Park Pond)*

*[9.]10. Warrensburg (Lion's Lake)*

*[10.]11. Wentzville (Community Club Lake)*

*[11.]12. Windsor (Farrington Park Lake)*

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. Amended: Filed Oct. 9, 2003.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

### Title 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 12—Wildlife Code: Special Regulations for Areas Owned by Other Entities

### PROPOSED AMENDMENT

**3 CSR 10-12.125 Hunting and Trapping.** The commission proposes to amend subsection (1)(B).

*PURPOSE: This amendment prohibits hunting on St. Charles (Kluesner Lake).*

(1) Hunting, under statewide permits, seasons, methods and limits, is permitted except as further restricted in this chapter.

(B) Hunting is prohibited on the following areas:

1. Thomas S. Baskett Wildlife Research and Education Center

2. Bethany (Old Bethany City Reservoir)

3. Bridgeton (Kiwani Lake)

4. California (Proctor Park Lake)

5. Carthage (Kellogg Lake)

6. Columbia (Antimi Lake, Cosmo-Bethel Lake, Lake of the Woods, Twin Lake)

7. Dexter City Lake

8. Farmington City Lake

9. Hamilton City Lake

10. Harrisonville (North Lake)

11. Jackson (Rotary Park Lake)

12. Jackson County (Alex George Lake, Bergan Lake, Bowlin Road Lake, Fleming Pond, Lake Jacomo, Prairie Lee Lake, Scherer Lake, Tarsney Lake, Wood Lake, Wyatt Lake)

13. James Foundation (Scioto Lake)

14. Jamesport City Lake

15. Lawson City Lake

16. Mexico (Lakeview Lake, Kiwani Lake)

17. Mineral Area College (Quarry Pond)

18. Moberly (Rothwell Park Lake, Water Works Lake)



19. Mount Vernon (Williams Creek Park Lake)

20. Overland (Wild Acres Park Lake)

21. Potosi (Roger Bilderback Lake)

22. Rolla (Schuman Park Lake)

**23. St. Charles (Kluesner Lake)**

[23.] **24.** St. Louis County (Bee Tree Lake, Creve Coeur Lake, Simpson Lake, Spanish Lake, Sunfish Lake)

[24.] **25.** Savannah City Lake

[25.] **26.** Sedalia (Clover Dell Park Lake)

[26.] **27.** Springfield City Utilities (Lake Springfield)

[27.] **28.** Warrensburg (Lion's Lake)

[28.] **29.** Windsor (Farrington Park Lake)

*AUTHORITY:* sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. Amended: Filed May 9, 2002, effective Oct. 30, 2002. Amended: Filed Oct. 9, 2003.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 12—Wildlife Code: Special Regulations for**  
**Areas Owned by Other Entities**

**PROPOSED AMENDMENT**

**3 CSR 10-12.135 Fishing, Methods.** The commission proposes to amend section (3).

*PURPOSE:* This amendment changes the name of a lake owned by the City of Fayette.

(3) Carp, buffalo, suckers and gar may be taken by gig, longbow or crossbow during statewide seasons on the following lakes:

(D) Fayette (D.C. Rogers Lake, [Fayette City Lake No. 2] Peters Lake)

*AUTHORITY:* sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. Amended: Filed Aug. 30, 2001, effective Jan. 30, 2002. Amended: Filed May 9, 2002, effective Oct. 30, 2002. Amended: Filed July 31, 2002, effective March 1, 2003. Amended: Filed May 9, 2003, effective Oct. 30, 2003. Amended: Filed Aug. 1, 2003, effective Nov. 1, 2003. Amended: Filed Oct. 9, 2003.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be

received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 12—Wildlife Code: Special Regulations for**  
**Areas Owned by Other Entities**

**PROPOSED AMENDMENT**

**3 CSR 10-12.140 Fishing, Daily and Possession Limits.** The commission proposes to amend sections (2) and (12).

*PURPOSE:* This amendment establishes daily limits for black bass and for "other fish combined" at St. Charles (Kluesner Lake).

(2) The daily limit for black bass is two (2) on the following lakes:

**(S) St. Charles (Kluesner Lake)**

[[S]] **(T)** St. Louis City (Benton Park Lake, Boathouse Lake, Clifton Heights Park Lake, Fairgrounds Park Lake, Horseshoe Lake, Hyde Park Lake, Jefferson Lake, Lafayette Park Lake, North Riverfront Park Lake, O'Fallon Park Lake, Willmore Park North Lake, Willmore Park South Lake)

[[T]] **(U)** St. Louis County (Bee Tree Lake, Bellefontaine Park Lake, Creve Coeur Lake, Queeny Park Lake, Simpson Lake, Spanish Lake, Sunfish Lake, Suson Park Lakes No. 1, 2, and 3, Tilles Park Lake, Veteran's Memorial Park Lake)

[[U]] **(V)** Unionville (Lake Mahoney)

[[V]] **(W)** University of Missouri (South Farm R-1 Lake)

[[W]] **(X)** Warrensburg (Lion's Lake)

[[X]] **(Y)** Watkins Mill State Park Lake

[[Y]] **(Z)** Wentzville (Community Club Lake)

[[Z]] **(AA)** Windsor (Farrington Park Lake)

(12) The daily limit for other fish as designated in 3 CSR 10-6.550 is twenty (20) in the aggregate, except on the following lakes where the daily limit in the aggregate is ten (10), and except for those fish included in (4), (5), (9), (10) and (11) of this rule:

**(H) St. Charles (Kluesner Lake)**

[[H]] **(I)** St. Louis City (Benton Park Lake, Boathouse Lake, Clifton Heights Park Lake, Fairgrounds Park Lake, Horseshoe Lake, Hyde Park Lake, Jefferson Lake, Lafayette Park Lake, North Riverfront Park Lake, O'Fallon Park Lake, Willmore Park North Lake, Willmore Park South Lake)

[[I]] **(J)** St. Louis County (Bee Tree Lake, Bellefontaine Park Lake, Creve Coeur Lake, Queeny Park Lake, Simpson Lake, Spanish Lake, Sunfish Lake, Suson Park Lakes No. 1, 2 and 3, Tilles Park Lake, Veteran's Memorial Park Lake)

[[J]] **(K)** Wentzville (Community Club Lake)

*AUTHORITY:* sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. Amended: Filed Aug. 30, 2001, effective Jan. 30, 2002. Amended: Filed May 9, 2002, effective Oct. 30, 2002. Amended: Filed July 31, 2002, effective March 1, 2003. Amended: Filed May 9, 2003, effective Oct. 30, 2003. Amended: Filed Aug. 1, 2003, effective Nov. 1, 2003. Amended: Filed Oct. 9, 2003.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be

received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 12—Wildlife Code: Special Regulations for**  
**Areas Owned by Other Entities**

**PROPOSED AMENDMENT**

**3 CSR 10-12.145 Fishing, Length Limits.** The commission proposes to amend section (2).

*PURPOSE:* This amendment changes the length limit on black bass at Fourche Lake in Ripley County, and establishes an eighteen inch (18") minimum length limit on largemouth bass at St. Charles (Kluesner Lake).

(2) Black bass more than twelve inches (12") but less than fifteen inches (15") total length must be returned to the water unharmed immediately after being caught, except as follows:

(B) Black bass less than fifteen inches (15") total length must be returned to the water unharmed immediately after being caught on the following lakes:

1. Arrow Rock State Historic Site (Big Soldier Lake)
2. Bethany (Old Bethany City Reservoir)
3. Big Oak Tree State Park (Big Oak Lake)
4. Butler City Lake
5. California (Proctor Park Lake)
6. Cameron (Reservoirs No. 1, 2 and 3, Grindstone Reservoir)
7. Carthage (Kellogg Lake)
8. Columbia (Stephens Lake)
9. Concordia (Edwin A. Pape Lake)
10. Confederate Memorial State Historic Site lakes
11. Dexter City Lake
12. Hamilton City Lake
13. Harrison County Lake
14. Higginsville City Lake
15. Holden City Lake
16. Iron Mountain City Lake
17. Jackson (Rotary Park Lake)
18. Jackson County (Alex George Lake, Bergan Lake, Bowlin Road Lake, Lake Jacomo, Prairie Lee Lake, Scherer Lake, Tarsney Lake, Wood Lake, Wyatt Lake)
19. Jefferson City (McKay Park Lake)
20. Lancaster (New City Lake)
21. Macon (Blees Lake)
22. Maysville (Willow Brook Lake)
23. Mark Twain National Forest ([*Fourche Lake*,] Huzzah Pond, Loggers Lake, McCormack Lake, Noblett Lake, Roby Lake)
24. Mineral Area College (Quarry Pond)
25. Pershing State Park ponds
26. Potosi (Roger Bilderback Lake)
27. University of Missouri (Dairy Farm Lake No. 1 and McCredie Lake)
28. Warrensburg (Lion's Lake)
29. Watkins Mill State Park Lake
30. Windsor (Farrington Park Lake)

(C) Black bass less than eighteen inches (18") total length must be returned to the water unharmed immediately after being caught on the following lakes:

1. Ballwin (New Ballwin Lake, Vlasik Park Lake)
2. Bridgeton (Kiwani's Lake)
3. Columbia (Twin Lake)
4. Ferguson (January-Wabash Lake)
5. Kirksville (Hazel Creek Lake)
6. Kirkwood (Walker Lake)

7. Overland (Wild Acres Park Lake)

**8. St. Charles (Kluesner Lake)**

[8.] **9.** St. Louis City (Benton Park Lake, Boathouse Lake, Clifton Heights Park Lake, Fairgrounds Park Lake, Horseshoe Lake, Hyde Park Lake, Jefferson Lake, Lafayette Park Lake, North Riverfront Park Lake, O'Fallon Park Lake, Willmore Park North Lake, Willmore Park South Lake)

[9.] **10.** St. Louis County (Bee Tree Lake, Bellefontaine Park Lake, Creve Coeur Lake, Queeny Park Lake, Simpson Lake, Spanish Lake, Sunfish Lake, Suson Park Lakes, No. 1, 2 and 3, Tilles Park Lake, Veteran's Memorial Park Lake)

[10.] **11.** Unionville (Lake Mahoney)

[11.] **12.** University of Missouri (South Farm R-1 Lake)

[12.] **13.** Wentzville (Community Club Lake)

*AUTHORITY:* sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. Amended: Filed Aug. 30, 2001, effective Jan. 30, 2002. Amended: Filed May 9, 2002, effective Oct. 30, 2002. Amended: Filed July 31, 2002, effective March 1, 2003. Amended: Filed Oct. 9, 2003.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 20—Wildlife Code: Definitions**

**PROPOSED AMENDMENT**

**3 CSR 10-20.805 Definitions.** The commission proposes to add new sections (5) and (48), amend section (21), and renumber the remaining sections accordingly.

*PURPOSE:* This amendment adds definitions for cable restraint device and snare, and changes the definition of flies, lures and baits.

**(5) Cable restraint device:** A device for the live-capture of certain furbearers in a non-water set by use of a cable loop made of non-stainless, multi-strand steel cable, not greater than five feet (5') long (not including extensions), with a diameter of not less than five sixty-fourths inch (5/64") and equipped with a commercially manufactured breakaway rated at two hundred eighty-five pounds (285 lbs.) or less, a relaxing-type lock, a stop device that prevents it from closing to less than two and one-half inches (2 1/2") in diameter, and an anchor swivel, but shall not be equipped with a compression-type choke spring, or be otherwise mechanically-powered.

[/5/] **(6) Cervid:** All species of the deer family (family *Cervidae*) including those commonly known as white-tailed, mule, fallow, sika, red, musk, Pere David's deer, moose, caribou, reindeer, elk, or wapiti, and all deer-hybrids.

[/6/] **(7) Chase or chased:** The act of using dogs to follow wildlife for the purpose of recreation or dog training, but not for the purpose of catching or taking that wildlife.



**[(7)] (8) Circus:** A scheduled staged event in which entertainment includes performances by trained wildlife, either native or nonnative to the continental United States, and in which physical contact between wildlife and humans is restricted to the handlers, performers or other circus employees.

**[(8)] (9) Closed season:** That period of time during which the pursuit or taking of wildlife is prohibited by this Code.

**[(9)] (10) Commercial establishment:** Any place of business, owned or operated by any person or group of persons, or business concern of any kind, where ordinary trade or business practices are conducted. This term shall include, but is not restricted to, any club, association or society where meals, lodging or other services or facilities are furnished for a consideration, price or fee.

**[(10)] (11) Commercial fish:** All fish except shovelnose sturgeon more than thirty inches (30") in length (measured from tip of snout to fork of tail), pallid and lake sturgeon and game fish as defined in this rule. Includes those species for which sale is permitted when legally obtained. For purposes of this Code, packaged salt water species or freshwater species not found in waters of this state, when the processed fish are truly labeled as to content, point of origin and name and address of the processor, are exempt from restrictions applicable to native commercial fish. Commercial fish include common snapping and soft-shelled turtles and crayfish taken from waters open to commercial fishing. In the Mississippi River and that part of the St. Francis River which forms the boundary between the states of Arkansas and Missouri, commercial fish also include channel, blue and flathead catfish at least fifteen inches (15") in total length. In the Mississippi River only, commercial fish include paddlefish at least twenty-four inches (24") in length (measured from eye to fork of tail).

**[(11)] (12) Commercial waters:** The flowing portions of the Missouri River, the Mississippi River except in Sand Chute below the mouth of the Salt River in Pike County, and that part of the St. Francis River which forms a boundary between the states of Arkansas and Missouri, and also waters which exist temporarily through overflow from the Mississippi River east of the Missouri Pacific Railroad between Cape Girardeau and Scott City, and east of the Mississippi River mainline and setback levees between Commerce and the Arkansas state line.

**[(12)] (13) Commission:** The Conservation Commission as specified in Section 3, Reorganization Act of 1974, pursuant to Article IV, Section 40(a) of the *Constitution of Missouri* (see also Article IV, Section 12).

**[(13)] (14) Crossbow:** A device for discharging quarrels or bolts, formed of a bow set crosswise on a stock, usually drawn by means of a mechanism and discharged by release of a trigger.

**[(14)] (15) Days or dates:** All days and dates shall be inclusive. A day shall begin or end at midnight, unless otherwise specified.

**[(15)] (16) Department:** The Department of Conservation as specified in Section 3, Reorganization Act of 1974, pursuant to Article IV, Section 40(a) of *Constitution of Missouri* (see also Article IV, Section 12).

**[(16)] (17) Director:** The director of the Department of Conservation.

**[(17)] (18) Ditch:** Any artificial drainageway, tributary to a stream or body of water, and containing sufficient water to support fish.

**[(18)] (19) Domicile:** The place where a person has his/her true, fixed and permanent home and principal establishment and to which

whenever s/he is absent s/he has the intention of returning. It is his/her legal residence, as distinguished from his/her temporary place or abode; or his/her home, as distinguished from a place to which business or pleasure may temporarily call him/her.

**[(19)] (20) Field:** An organized event, contest, demonstration or trial of dogs whether or not prizes or awards of any kind are offered and where dogs may be used to chase, locate, pursue or retrieve wildlife.

**[(20)] (21) Firearms:** Pistols, revolvers and rifles propelling a single projectile at one (1) discharge including those powered by spring, air or compressed gas, and shotguns not larger than ten (10) gauge.

**[(21)] (22) Flies, lures and baits:** The following are authorized for use except where restricted in 3 CSR 10-6.415, 3 CSR 10-6.535, 3 CSR 10-11.205, [and] 3 CSR 10-12.135 [.] and **3 CSR 10-12.150:**

**[(A) Fly—A lure constructed on a single-point hook, of feathers, tinsel, chenille, yarn, fur, hair, silk, rayon or nylon thread or floss, with or without spinner.**

**[(B) Artificial lure—A manufactured lure other than a fly or soft plastic bait (unscented).**

**[(C) Soft plastic bait (unscented)—Synthetic eggs, synthetic worms, synthetic grubs and soft plastic lures.**

**[(D) Natural and scented baits—A natural fish food such as bait fish, crayfish, frogs permitted as bait, grubs, insects, larvae, worms, salmon eggs, cheese, corn and other food substances not containing any ingredient to stupefy, injure or kill fish. Does not include flies or artificial lures. Includes dough bait, putty or paste-type bait, any substance designed to attract fish by taste or smell and any fly, lure or bait containing or used with such substances.]**

**[(A) Natural and scented baits—A natural fish food such as bait fish, crayfish, frogs permitted as bait, grubs, insects, larvae, worms, salmon eggs, cheese, corn and other food substances not containing any ingredient to stupefy, injure or kill fish. Does not include flies or artificial lures. Includes dough bait, putty or paste-type bait, any substance designed to attract fish by taste or smell and any fly, lure or bait containing or used with such substances.**

**[(B) Soft plastic bait (unscented)—Synthetic eggs, synthetic worms, synthetic grubs and soft plastic lures.**

**[(C) Artificial lure—A lure constructed of any material excluding soft plastic bait and natural and scented bait as defined in (A) or (B) above.**

**[(D) Fly—An artificial lure constructed on a single-point hook, using any material except soft plastic bait and natural and scented bait as defined in (A) or (B) above, that is tied, glued or otherwise permanently attached.**

**[(22)] (23) Furbearing animals:** Furbearers: Mink, muskrat, opossum, river otter, striped skunk, spotted skunk, badger, beaver, raccoon, long-tailed weasel, red fox, gray fox, bobcat, mountain lion, black bear and coyote.

**[(23)] (24) Game birds:** Geese, ducks, ring-necked pheasant, gray partridge, ruffed grouse, wild turkey, northern bobwhite quail, Virginia rail, sora rail, American coot, American woodcock, common snipe, mourning dove, Eurasian collared-dove, white-winged dove and crows.

**[(24)] (25) Game fish:** Shall include the following in which the common names are to be interpreted as descriptive of, but not limiting, the classification by Latin names:

**[(A) *Ambloplites*,** all species of rock bass, commonly known as goggle-eye, redeye, shadow bass, Ozark bass.

**[(B) *Lepomis gulosus*,** commonly known as warmouth bass.

(C) *Esox*, all species commonly known as muskellunge, tiger muskie, muskie-pike, hybrid, northern pike, chain pickerel, grass pickerel.

(D) *Ictalurus*, all species except bullheads, commonly known as channel catfish, blue catfish, Mississippi cat, Fulton cat, spotted cat, white cat, willow cat, fiddler cat.

(E) *Micropterus*, all species of black bass and their hybrids, commonly known as largemouth bass, lineside bass, smallmouth bass, brown bass, Kentucky bass, spotted bass.

(F) *Polyodon*, all species, commonly known as paddlefish, spoon-bill.

(G) *Pomoxis*, all species, commonly known as crappie, white crappie, black crappie.

(H) *Pylodictis*, commonly known as flathead catfish, goujon, yellow cat, river cat.

(I) *Morone*, all species and their hybrids, commonly known as white bass, yellow bass, striped bass.

(J) *Oncorhynchus* and *Salmo*, all species commonly known as salmon and trout.

(K) *Stizostedion*, all species and their hybrids, commonly known as walleye, pike perch, jack salmon, sauger.

[[25]] (26) Game mammals: Deer, fox squirrel, gray squirrel, groundhog (woodchuck), cottontail rabbit, swamp rabbit, jack rabbits, and furbearers as defined.

[[26]] (27) Grab: The act of snagging or attempting to snag a fish by means of a pole, line and hook manipulated by hand.

[[27]] (28) Hook: Single- or multiple-pronged hooks and the ordinary artificial lures with attached single- or multiple-pronged hooks and dropper flies. A multiple-pronged hook or two (2) or more hooks employed to hold a single bait, shall be considered a single hook in counting the allowable total in use.

[[28]] (29) Length of fish: Total length is measured from the tip of the snout to the end of the tail, with the fish laid flat on the rule with mouth closed and tail lobes pressed together. The length of paddlefish is measured from the eye to the fork of the tail. The length of sturgeon is measured from the tip of the snout to the fork of the tail.

[[29]] (30) Lessee: Any Missouri resident who resides on at least five (5) acres of land in one (1) continuous tract owned by others, or any member of the immediate household whose legal residence and domicile is the same as the lessee's for at least thirty (30) days last past.

[[30]] (31) Limit: The maximum number or quantity, total length, or both, of any wildlife permitted to be taken or held in possession by any person within a specified period of time according to this Code.

[[31]] (32) Longbow: A bow drawn and held by hand and not fastened to a stock nor to any other device which maintains the bow in a drawn position. This definition includes compound bows.

[[32]] (33) Managed deer hunt: A prescribed deer hunt conducted on a designated area for which harvest methods, harvest quotas and numbers of participants are determined annually and presented in the deer hunting rule (3 CSR 10-7.435).

[[33]] (34) Mouth of stream or ditch: The point at which a line projected along the shore of a main stream or ditch at the existing water level at time of measurement crosses any incoming stream or ditch.

[[34]] (35) Mussels: All species of freshwater mussels and clams. Includes all shells and alive or dead animals. Two (2) shell halves (valves) shall be considered one (1) mussel.

[[35]] (36) Muzzleloading firearm: Any firearm capable of being loaded only from the muzzle.

[[36]] (37) Night vision equipment: Optical devices (that is, binoculars or scopes) using light amplifying circuits that are electrical or battery powered.

[[37]] (38) Nonresident landowner: Any nonresident of Missouri who is the owner of at least seventy-five (75) acres in one (1) continuous tract in the state of Missouri, or any member of the immediate household whose legal residence and domicile is the same as the nonresident landowner's for at least thirty (30) days last past. Corporate ownerships do not apply under this definition.

[[38]] (39) Open season: That time when the pursuing and taking of wildlife is permitted.

[[39]] (40) Other fish: All species other than those listed as endangered in 3 CSR 10-4.111 or defined in this rule as game fish.

[[40]] (41) Poisons, contaminants, pollutants: Any substances that have harmful effect upon wildlife.

[[41]] (42) Pole and line: Fishing methods using tackle normally held in the hand, such as a cane pole, casting rod, spinning rod or fly rod, to which not more than three (3) hooks with bait or lures are attached. This fishing method does not include snagging, snaring, grabbing or trotlines or other tackle normally attached in a fixed position.

[[42]] (43) Possessed and possession: The actual and constructive possession and control of things referred to in this Code.

[[43]] (44) Public roadway: The right of way which is either owned in fee or by easement by the state of Missouri or any county or municipal entity, or which is used by the general public for travel and is also regularly maintained by Department of Transportation, federal, county or municipal funds or labor.

[[44]] (45) Pursue or pursued: Includes the act of trying to find, to seek or to diligently search for wildlife for the purpose of taking this wildlife.

[[45]] (46) Resident landowner: Any Missouri resident who is the owner of at least five (5) acres in one (1) continuous tract, or any member of the immediate household whose legal residence or domicile is the same as the landowner's for at least thirty (30) days last past. Except as provided in 3 CSR 10-7.435, in the case of corporate ownership, this definition shall apply only to those corporate shareholders who reside on lands held by the corporation.

[[46]] (47) Sell: To exchange for compensation in any material form and the term shall include offering for sale.

(48) Snare: A device for the capture of furbearers in a water-set by use of a cable loop. Snares must be constructed of cable that is at least five sixty-fourths inch (5/64") and no greater than one-eighth inch (1/8") in diameter, and must be equipped with a mechanical lock and anchor swivel.

[[47]] (49) Speargun: A mechanically powered device that propels a single- or multiple-pronged spear underwater.

[[48]] (50) Store and storage: Shall also include chilling, freezing and other processing.

[[49]] (51) Take or taking: Includes killing, trapping, snaring, netting or capturing in any manner, any wildlife, and also refers to pursuing, molesting, hunting, wounding; or the placing, setting or use

of any net, trap, device, contrivance or substance in an attempt to take; and every act of assistance to every other person in taking or attempting to take any wildlife.

**[(50)] (52) Transport and transportation:** All carrying or moving or causing to be carried or moved from one (1) point to another, regardless of distance, vehicle or manner, and includes offering or receiving for transport or transit.

**[(51)] (53) Underwater spearfishing:** The taking of fish by a diver while underwater, with the aid of a manually or mechanically propelled, single- or multiple-pronged spear.

**[(52)] (54) Ungulate:** Hoofed animals.

**[(53)] (55) Waters of the state:** All rivers, streams, lakes and other bodies of surface water lying within or forming a part of the boundaries of the state which are not entirely confined and located completely upon lands owned or leased by a single person or by two (2) or more persons jointly or as tenants in common or by corporate shareholders, and including waters of the United States lying within the state. Waters of the state will include any waters which have been stocked by the state or which are subject to movement of fishes to and from waters of the state.

**[(54)] (56) Zoo:** Any publicly-owned facility, park, building, cage, enclosure or other structure or premises in which live animals are held and exhibited for the primary purpose of public viewing.

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-II.805. Original rule filed April 30, 2001, effective Sept. 30, 2001. Amended: Filed May 9, 2002, effective Oct. 30, 2002. Amended: Filed Aug. 30, 2002, effective Feb. 28, 2003. Amended: Filed Oct. 9, 2003.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

## **Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

### **Division 240—Public Service Commission**

#### **Chapter 3—Filing and Reporting Requirements**

#### **PROPOSED AMENDMENT**

**4 CSR 240-3.190 [Electric Utility] Reporting Requirements for Electric Utilities and Rural Electric Cooperatives.** The commission is proposing to amend the title of the rule, the purpose section and sections (1)–(4) of the rule, add a new section (4) and renumber sections (4)–(8) accordingly.

**PURPOSE:** The changes proposed in this amendment update and clarify the reporting requirements for electric utilities. It also adds a reporting requirement for accidents involving any energy supply facility. This requirement applies to both electric utilities and electric cooperatives that serve in the state of Missouri. Terminology refer-

ring to the Public Service Commission and electric utilities is changed to be consistent with the definitions in 4 CSR 240-3.010.

**PURPOSE:** This rule prescribes requirements and procedures for the reporting of certain events by [electrical corporations] electric utilities to the [Public Service C]commission to inform the commission of developments which may affect the rendering of safe and adequate service and to enable the commission to thoroughly and fairly investigate certain events, which may have an impact in future electric rate proceedings at the time and in the context in which those events occur. This rule also includes electrical facilities incident reporting requirements for electric cooperatives.

(1) Commencing on September 1, 1991, every [electrical corporation as defined in section 386.020, RSMo, subject to the jurisdiction of the Public Service Commission (PSC)] electric utility shall accumulate the following information and transmit it to the manager of the [e/Energy /d/Department of the /PSC/ commission, or his/her designee, no later than the last business day of the month following the month to be reported and after that on a monthly basis:

(A) All generating unit outages and derates, excluding hydroelectric generating units and units whose capacity comprises less than one and one-half percent (1 1/2%) of the [electrical corporation's] electric utility's installed capacity;

(C) Monthly as-burned fuel report for each generating unit, including the amount of each type of fuel consumed, the British thermal unit (Btu) value of each fuel consumed, and the blending percentages (if applicable);

(D) Net system input for the electric utility;

[(C)](E) Net hourly generation for each generating unit;

[(D)](F) Megawatt amount and delivery prices of [H]hourly purchases and sales of electricity from or to other [utility companies] electrical services providers, independent power producers or cogenerators, including the parties to purchases and sales, and the terms of purchases and sales;

**1. If adjustments are made to the price of hourly purchases after the purchase is made, provide the amount of the adjustment and the time period over which the adjustment was made.**

[(E)](G) Capacity purchases of longer than seven (7) days' duration;

[(F)](H) Planned outages of power production facilities, as they are scheduled or rescheduled. Changes from the planned outage schedule must be reported by telephone or electronic transmission to the manager of the energy department of the [PSC] commission or his/her designee prior to the initiation of the outage, if the changes result in the planned outage schedule being different from the schedule in the most recently submitted monthly report;

[(G)](I) Planned fuel test burns, unit heat-rate tests and accreditation runs as they are scheduled or rescheduled. Changes from previously planned fuel test burns, unit heat-rate tests and accreditation runs must be reported by telephone or electronic transmission to the manager of the [e/Energy /d/Department of the /PSC/ commission or his/her designee prior to their initiation, if these changes result in the schedule for fuel test burns, unit heat-rate tests and accreditation runs being different from the schedule in the most recently submitted monthly report;

[(H)](J) Citations or notices of violation related to power production facilities received from any state or federal utility regulatory agency or environmental agency including, but not limited to, the FERC, the Nuclear Regulatory Commission (NRC), the Environmental Protection Agency (EPA), the Department of Natural Resources (DNR) and the Department of Energy (DOE);

[(I)](K) The terms of new contracts or existing contracts which will be booked to Accounts 310–346 or Accounts 502–546 of the FERC's Uniform System of Accounts requiring the expenditure by



the [electrical corporation] **electric utility** of more than [fifty] **one hundred** thousand dollars [(\$50,000)] **(\$100,000)** including, but not limited to, contracts for engineering, consulting, repairs and modifications or additions to an electric plant; and

[(J)](L) Copies of all written reports on forced generating unit outages of longer than three (3) days, test burns of fuel, heat-rate tests, accreditation runs and responses to state or federal utility regulatory agencies or environmental agencies including, but not limited to, the FERC, the NRC, the EPA, the DNR and the DOE, concerning any alleged infractions, deviations or noncompliance with those agencies' rules or standards related to power production facilities.

(2) [The] **Any of the** information required in [sub]section/s] (1)[(C) and (D)] of this rule may be provided to the manager of the [e]Energy [d]Department of the [PSC] **commission** or his/her designee [on computer diskette or by electronic transmission. If the information required in subsections (1)(C) and (D) is provided on computer diskette or by electronic transmission, the data reported and the software program used to record the data shall be clearly identified and shall be accompanied by a statement as required in subsection (4)(A) of this rule.] in electronic format. The electronic files may be submitted through the commission's Electronic Filing and Information System (EFIS).

(3) [In addition to the reporting requirements in sections (1) and (2) of this rule, e]Every [electrical corporation] **electric utility**, as defined in section 386.020, RSMo, subject to the jurisdiction of the PSC, shall report to the manager of the [e]Energy [d]Department of the [PSC] **commission** or his/her designee by telephone or [electronic transmission] through EFIS by the end of the first business day following discovery, the information described in subsections (3)(A)-(E) below. [If the report is initially made by telephone, t]The electric utility shall submit, [a written description] either by mail or [electronic transmission] through EFIS within five (5) business days following the discovery, **an update of the incident and any details not available at the time of the initial report.**./:

(A) Details of any accident at a power plant involving serious physical injury or death or property damage in excess of [fifty] **one hundred** thousand dollars [(\$50,000)] **(\$100,000)**;

(C) Forced outages of any fossil-fuel fired generating unit(s) which constitutes twenty percent (20%) or more of the [electrical corporation's] **electric utility's** accredited capacity that reasonably could be anticipated to last longer than three (3) days, when the unit(s) is forced out due to a common occurrence;

(4) Every electric utility and rural electric cooperative shall report to the manager of the Energy Department of the commission or his/her designee, by telephone or through EFIS, a brief description of an accident by the end of the first business day following the discovery of any accident resulting from contact with its energized electrical supply facilities which results in the fatality of an employee or other person, admission to a hospital, ten thousand dollars (\$10,000) in damages to the property of the utility or others or any other accident considered significant by the utility. The electric utility or rural electric cooperative shall submit, either by mail or through EFIS within five (5) business days following the discovery, **an update of the incident and any details not available at the time of the initial report.**

[(4)](5) All reports and information submitted by [electrical corporations] **electric utilities and rural electric cooperatives** pursuant to this rule shall be [—

(A) S]ubscribed by the president, treasurer, general manager,

receiver or other authorized representative of the [electrical corporation] **electric utility or rural electric cooperative** having knowledge of the subject matter and shall be stated to be accurate and complete, and contain no material misrepresentations or omissions, based upon facts of which the person subscribing the report or information has knowledge, information or belief.]; and] **Any information submitted through EFIS will bear the electronic signature of the utility representative who is submitting it.**

[(B) Sent to the Energy Department Manager, Public Service Commission, P.O. Box 360, 200 Madison St., Suite 700, Jefferson City, MO 65102 or submitted electronically through the commission's electronic filing system.]

[(5)](6) The reporting requirements prescribed by this rule shall be in addition to all other reporting requirements prescribed by law.

[(6)](7) The information contained in the reports filed pursuant to this rule shall be subject to the provisions of section 386.480, RSMo and the use of that information in any proceeding before the commission shall be governed by the terms of any protective order issued by the commission in the proceeding, if a protective order has been issued.

[(7)](8) The receipt by the commission or commission staff of reports prescribed by this rule shall not bind the commission or commission staff to the approval or acceptance of, or agreement with any matter contained in the reports for the purpose of fixing rates or in determining any other issue that may come before the commission.

[(8)](9) Upon proper application and after notice and an opportunity for hearing, the commission, in its discretion, may waive any provision of this rule for good cause shown.

**AUTHORITY:** sections 386.250 and 394.160, RSMo 2000. Original rule filed Aug. 16, 2002, effective April 30, 2003. Amended: Filed Oct. 14, 2003.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** Anyone may file comments in support of or in opposition to this proposed amendment with the Missouri Public Service Commission, Dale Hardy Roberts, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before December 17, 2003, and should include a reference to Commission Case No. EX-2003-0489. If comments are submitted via a paper filing, an original and eight (8) copies of the comments are required. Comments may also be submitted via a filing using the commission's electronic filing and information system at <<http://www.psc.state.mo.us/efis.asp>>. A public hearing regarding this proposed amendment is scheduled for December 30, 2003, at 1:30 p.m. in Room 310 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions. Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

## Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

### Division 240—Public Service Commission Chapter 18—Safety Standards

#### PROPOSED AMENDMENT

**4 CSR 240-18.010 Safety Standards [for Electric Utilities, [and Telephone Utilities] Telecommunications Companies and Rural Electric Cooperatives.** The commission is proposing to amend the title of the rule, the purpose section of the rule and all existing sections of the rule, and to add a new section to the end of the rule.

**PURPOSE:** *The changes proposed in this amendment update the safety standards and change the reference to telephone utilities to telecommunications companies to be consistent with other commission rules.*

**PURPOSE:** *This rule prescribes minimum safety standards relating to the operation of electric [and telephone utilities] utilities, telecommunications companies and rural electric cooperatives. Adoption of this rule will not only inform the regulated utilities, to which it applies, of the minimum safety standards required by the commission but will also be of assistance to the commission staff in carrying out its assigned duties.*

(1) The commission adopts as its rule and incorporates by reference, Parts 1, 2 and 3 and Sections 1, 2 and 9 of the *American National Standard, National Electrical Safety Code (NESC); [1997] 2002* Edition as approved by the American National Standards Institute on June [6, 1996] **14, 2001**. The NESC is published by the Institute of Electrical and Electronics Engineers, Inc., as the minimum safety standards relating to the operation of electric utilities and [telephone utilities] telecommunications companies and rural electric cooperatives. The NESC is composed of four (4) different parts and four (4) sections, each of which pertain to different aspects of the electric and telecommunications industries. Part 1 specifies rules for the installation and maintenance of equipment normally found in electric generating plants and substations. Part 2 pertains to safety rules for overhead electric and communication lines. Part 3 contains safety rules for underground electric and communication lines. Section 1 is an introduction to the NESC, Section 2 defines special terms and Section 9 requires certain grounding methods for electric and communications facilities.

(2) All electric utilities and [telephone utilities] telecommunications companies and rural electric cooperatives subject to regulation by this commission pursuant to Chapters 386, 392–394, RSMo shall be required to adhere to the safety standards established by this rule.

**(3) Incident reporting requirements for electric utilities and rural electric cooperatives are found in 4 CSR 240-3.190(4).**

**AUTHORITY:** *sections 386.310 [RSMo Supp. 1998] and 394.160, RSMo [1994] 2000. Original rule filed March 15, 1978, effective Oct. 2, 1978. Amended: Filed April 8, 1981, effective Oct. 15, 1981. Amended: Filed Feb. 9, 1984, effective June 15, 1984. Amended: Filed June 12, 1987, effective Sept. 15, 1987. Amended: Filed Jan. 5, 1990, effective April 13, 1990. Amended: Filed March 23, 1993, effective Oct. 10, 1993. Amended: Filed Aug. 27, 1999, effective Feb. 29, 2000. Amended: Filed Oct. 14, 2003.*

**PUBLIC COST:** *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

**PRIVATE COST:** *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

**NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** *Anyone may file comments in support of or in opposition to this proposed amendment with the Missouri Public Service Commission, Dale Hardy Roberts, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before December 17, 2003, and should include a reference to Commission Case No. EX-2003-0368. If comments are submitted via a paper filing, an original and eight (8) copies of the comments are required. Comments may also be submitted via a filing using the Commission's electronic filing and information system at <<http://www.psc.state.mo.us/efis.asp>>. A public hearing regarding this proposed amendment is scheduled for December 30, 2003, at 1:00 p.m. in Room 310 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions. Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.*

## Title 8—DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

### Division 30—Division of Labor Standards Chapter 1—Organization

#### PROPOSED AMENDMENT

**8 CSR 30-1.010 Organization of the Division of Labor Standards.** The division is amending section (1).

**PURPOSE:** *This amendment updates references to the Missouri Revised Statutes.*

**PURPOSE:** *This rule describes the organization of the Division of Labor Standards as required by section 536.023, RSMo [1986] 2000.*

(1) The Division of Labor Standards is an administrative division created by the Labor and Industrial Relations Commission to satisfy the requirements of section 8, paragraph 5, of the Omnibus State Reorganization Act. This act created an inspection section which is now named the Division of Labor Standards (hereinafter referred to as the division) of the Department of Labor and Industrial Relations. Along with all powers, duties and functions as vested by law, the Reorganization Act transferred to the Division of Labor Standards—the Division of Industrial Inspection and the Division of Mine Inspection. The division also has the responsibility of administering the Prevailing Wage Law. The division has the responsibility of carrying out all the functions and duties contained in the following sections of the Revised Statutes of Missouri:

[[A)] Sections 196.270–196.305—*Sanitation in Bakeries and Confectioneries;*

[[B)] (A) Section 205.920—*Power of Director to Deputize Agents;*

[[C)] Sections 289.010–289.130—*Private Employment Agencies;*

[[D)](B) Sections 290.010–290.340 and 290.500–290.580—*Wages Hours and Dismissal Rights, [Including] Prevailing Wages on Public Works, Minimum Wage, and Public Works During Excessive Unemployment;*

[[E)](C) Sections 291.010–291.130/150—*Industrial Inspection;*

[[F)](D) Sections 292.010–292.570—*Health and Safety of Employees;*

[[G)](E) Sections 293.010–293.690—*[Mining] Mine and Cave Regulations; and*



*[(H)](F) Sections 294.1011/005–294.140/150—Child Labor;  
[(I) Sections 564.670–564.710—Employment of Children  
in Occupations Hazardous to Safety or Morals Prohibited;  
and*

*(J) Sections 421.010–421.120—Mattresses and Bedding  
Manufacturing.]*

*AUTHORITY: Omnibus State Reorganization Act of 1974, section 8,  
paragraph 5. Original rule filed Dec. 18, 1975, effective Dec. 28,  
1975. Amended: Filed Oct. 8, 2003.*

*PUBLIC COST: This proposed amendment will not cost state agen-  
cies or political subdivisions more than five hundred dollars (\$500)  
in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private  
entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in  
support of or in opposition to this proposed amendment with the  
Division of Labor Standards; Attn: Colleen Baker, Director; PO Box  
449; Jefferson City, MO 65102-0449. To be considered, comments  
must be received within thirty (30) days after publication of this  
notice in the Missouri Register. No public hearing is scheduled.*

**Title 8—DEPARTMENT OF LABOR AND  
INDUSTRIAL RELATIONS  
Division 30—Division of Labor Standards  
Chapter 4—Minimum Wage and Overtime Rules**

**PROPOSED AMENDMENT**

**8 CSR 30-4.010 Definitions.** The division is amending subsection (1)(B).

*PURPOSE: This amendment updates the reference to the Fair Labor  
Standards Act of 1938.*

(1) As used in 8 CSR 30-4.010–8 CSR 30-4.050, unless the context clearly indicates otherwise, the following terms shall mean:

(B) Employee—an individual employed by an employer, except that the term employee shall not include:

1. Any individual employed in a bona fide executive, administrative or professional capacity;

2. Any individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship in fact, does not, exist or where the services rendered to the organizations are on a voluntary basis;

3. Any individual standing in *loco parentis* to foster children in his/her care;

4. Any individual who receives a minimum wage pursuant to the Fair Labor Standards Act of 1938, as amended as of *[February 26, 1993]* **October 1, 1996**, including individuals employed by an employer covered by 29 USC 203 or other applicable federal law;

5. Any individual employed for less than four (4) months in any year in a resident or day camp for children or youth, or any individual employed by an educational conference center operated by an educational, charitable or not-for-profit organization;

6. Any individual engaged in the activities of an educational organization where employment by the organization is in lieu of the requirement that the individual pay the cost of tuition, housing or other educational fees of the organization or where earnings of the individual employed by the organization are credited toward the payment of the cost of tuition, housing or other educational fees of the organization;

7. Any individual employed on or about a private residence on an occasional basis for six (6) hours or less on each occasion;

8. Any disabled person employed in a sheltered workshop, certified by the Department of Elementary and Secondary Education;

9. Any person employed on a casual basis in domestic service employment to provide baby-sitting services, any person employed in the domestic service of any family or person at his/her home and any employee employed in domestic service employment to provide companionship services for individuals who, because of age or infirmity, are unable to care for themselves;

10. Any individual employed by an employer subject to the provisions of Part I of the Interstate Commerce Act;

11. Any individual employed on a casual or intermittent basis as a golf caddy, newsboy or in a similar occupation;

12. Any individual whose earnings are derived in whole or in part from sales commissions and whose hours and places of employment are not substantially controlled by the employer;

13. Any individual subject to the minimum wage provisions of applicable federal law or any individual who is employed in any government position defined in 29 USC 203(2)(c)(i) and (ii);

14. Any individual employed by a retail or service business whose annual gross volume sales made or business done is less than five hundred thousand dollars (\$500,000);

15. Any individual who is an offender, as defined in section 217.010, RSMo, who is incarcerated at any correctional facility operated by the Department of Corrections, including offenders who provide labor or services on the grounds of that correctional facility pursuant to section 217.550, RSMo; and

16. Any individual described by the provisions of section 29 U.S.C. 213(a)(8);

*AUTHORITY: sections 290.512, 290.515 and 290.517, RSMo [Supp. 1990] 2000. Original rule filed July 22, 1992, effective Feb. 26, 1993. Amended: Filed Oct. 8, 2003.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Division of Labor Standards; Attn: Colleen Baker, Director; PO Box 449; Jefferson City, MO 65102-0449. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 8—DEPARTMENT OF LABOR AND  
INDUSTRIAL RELATIONS  
Division 30—Division of Labor Standards  
Chapter 4—Minimum Wage and Overtime Rules**

**PROPOSED AMENDMENT**

**8 CSR 30-4.020 Minimum and Subminimum Wage Rates.** The division is amending sections (1), (2) and (4).

*PURPOSE: This amendment deletes references to wage amounts and updates the reference to the Fair Labor Standards Amendments.*

(1) Effective August 28, 1990 employers who employ individuals who are covered under the Missouri minimum wage law are required to pay to each such individual wages at the same rate as established as the federal minimum wage under the Fair Labor Standards Act (FLSA). *[The Missouri minimum wage shall be as follows:*

*(A) Effective August 28, 1990 the minimum wage shall be not less than three dollars and eighty cents (\$3.80) an hour; and*

*(B) Effective April 1, 1991 the minimum wage shall be not less than four dollars and twenty-five cents (\$4.25) an hour.]*

(2) Learners and apprentices shall be paid the same rate as established under the provisions of federal law as the federal subminimum wage applicable to new workers. The Fair Labor Standards Amendments of [1989] 1996 to the FLSA established training wages for certain eligible workers. *[These rates, which shall be the subminimum wage rates applicable to learners and apprentices, are as follows:*

*(A) Effective August 28, 1990 the learner and apprentice rate shall be not less than three dollars and thirty-five cents (\$3.35) an hour; and*

*(B) Effective April 1, 1991 the learner and apprentice rate shall be not less than eighty-five percent (85%) of the federal minimum wage of four dollars and twenty-five cents (\$4.25) per hour, which shall be \$3.6125 per hour (if rounded, must be rounded up to three dollars and sixty-two cents (\$3.62) per hour).]*

(4) Tipped employees shall receive at least the applicable minimum wages as set forth in this rule, except that the employer may claim gratuities as a credit toward the payment of the required minimum wage. The maximum amount of gratuities that the employer can claim as a credit is fifty percent (50%) of the applicable minimum wage rate. *[For example, if after April 1, 1991 a tipped employee is entitled to a minimum wage of three dollars and sixty-two cents (\$3.62) an hour and receives in one (1) day the equivalent of two dollars (\$2) per hour in tips, the employer can claim up to fifty percent (50%) of the minimum wage one dollar and eighty-one cents (\$1.81) as a tip credit, and shall only be required to pay the employee one dollar and eighty-one cents (\$1.81) per hour in wages for that day.]* In no event shall the amount of wages and gratuities equal less than the applicable minimum wage, with the difference between the gratuities and the minimum wage being paid by the employer.

**AUTHORITY:** sections 290.512, 290.515 and 290.517, RSMo [Supp. 1990] 2000. Original rule filed July 22, 1992, effective Feb. 26, 1993. Amended: Filed Oct. 8, 2003.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Division of Labor Standards; Attn: Colleen Baker, Director; PO Box 449; Jefferson City, MO 65102-0449. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

## Title 12—DEPARTMENT OF REVENUE

### Division 10—Director of Revenue

#### Chapter 23—Motor Vehicle

#### PROPOSED AMENDMENT

**12 CSR 10-23.424 Leasing Company Registration.** The director proposes to amend sections (2), (3), and (6) and remove the form that follows this rule in the *Code of State Regulations*.

**PURPOSE:** This rule is being amended to allow leasing companies to apply for biennial registration and for consistency and clarity.

(2) To apply for registration as a leasing company, the applicant shall submit a completed application *[annually]* on a **biennial basis** as prescribed by the director. *[The initial application shall be accompanied by a]* A copy of the applicant's Missouri sales tax license **shall accompany the initial application**. The applicant also shall be properly registered with the Office of the Missouri Secretary of State and shall furnish proof of that registration upon request.

(3) Renewal applications for registration as a leasing company shall be filed with the director prior to December 1 of each *[year]* **registration period**. Leasing company registrations shall expire on December 31 of each *[year]* **registration period**. Leasing companies with expired registrations shall not be entitled to the sales tax option provided by section 144.070, RSMo, but shall pay all state and local sales tax on the purchase price of any units acquired while the registration is expired.

(6) The director shall deny application for, or recall any permit to operate as a leasing company, if *[s/he learns that]* the applicant—

(C) Is no longer properly registered with the **Office of the Missouri** *[s/Secretary of s/State/'s office]*.

**AUTHORITY:** sections 144.010, RSMo Supp. [1990] 2003 and 144.070, RSMo [1986] 2000. Emergency rule filed Oct. 28, 1991, effective Nov. 7, 1991, expired March 6, 1992. Emergency rule filed Feb. 26, 1992, effective March 7, 1992, expired July 5, 1992. Original rule filed Oct. 28, 1991, effective May 14, 1992. Amended: Filed Oct. 10, 2003.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Revenue, Office of Legislation and Regulations, PO Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

## Title 12—DEPARTMENT OF REVENUE

### Division 10—Director of Revenue

#### Chapter 24—Drivers License Bureau Rules

#### PROPOSED AMENDMENT

**12 CSR 10-24.040 Completion [Date] Requirement for Driving While Intoxicated (DWI) Rehabilitation Program.** The director proposes to amend the title, section (1), and delete section (2).

**PURPOSE:** This amendment is necessary because the authority to approve comparable programs is now the responsibility of the Division of Alcohol and Drug Abuse, Department of Mental Health, rather than the director of revenue.

(1) Prior to reinstatement, any person whose driver[s] license has been suspended or revoked pursuant to sections **302.304**, 302.500–302.540, or **577.041**, RSMo shall successfully complete a substance abuse traffic offender education or rehabilitation program approved by the Department of Mental Health. Completion of the program shall be accepted only if completed after the date of arrest for which the license was suspended or revoked pursuant to sections **302.304**, 302.500–302.540, or **577.041**, RSMo.



[(2) The department may waive this requirement only upon evidence of the following:

(A) Completion of a comparable program as determined by the director of revenue. Completion of the program shall be accepted only if it contains professional assessment of the individual needs of the person suspended and is completed after the date of arrest for which the license was suspended pursuant to sections 302.500–302.540, RSMo; or

1. Each program must contain a professional assessment of the person and must include recommendations for a particular type or level of program based on the assessment and driving record of the person. Completion of the items and recommendations in the assessment must be demonstrated to the Department of Revenue before the program will be considered comparable to Substance Abuse Traffic Offender Programs (SATOPs). Each level of recommendation may include, but is not limited to, the following:

A. First Level: A ten to fifteen (10–15) hour education course which is designed to assist first-time offenders in understanding the choices they made that led to their intoxication and arrest. Education must include ways to take responsibility for actions, relate the course to their lives, and make changes in their thinking, belief, and behavior;

B. Second Level: A program designed primarily for repeat offenders or “high risk” first-time offenders with intensive education and counseling intervention methods throughout with at least forty-eight (48) continuous hours of structured activities. Activities must be designed to encourage the offender to confront his/her harmful behavior and take responsibility for his/her life. The program must be conducted in a restrictive environment;

C. Third Level: A program consisting of intensive outpatient counseling for three to six (3–6) weeks based on the needs of the persistent or “high risk” offender. Each offender must participate in and complete a minimum of fifty (50) total hours of treatment activity consisting of individual counseling, group counseling and group education at a certified treatment facility. These programs must be certified by the appropriate agency in the state in which they are conducted and/or be accredited by the Joint Commission on Accreditation of Health Care Organization (JCAHO), the Commission on the Accreditation of Rehabilitation Facilities (CARF), or the American Osteopathic Association (AOA); and

D. Fourth Level: A minimum of two hundred (200) treatment hours of either hospitalization and/or outpatient counseling for persons with alcoholism and/or drug abuse prior to or in conjunction with the assessment. These programs must be accredited by the appropriate agency in the state in which they are conducted and/or the Joint Commission on Accreditation of Health Care Organizations (JCAHO), the Commission on the Accreditation of Rehabilitation Facilities (CARF), or the American Osteopathic Association (AOA).

(B) Establishment of residency in another state; provided, the person has applied for a drivers license in that state.]

**AUTHORITY:** sections 302.304, 302.540 and 577.041, RSMo [1994] Supp. 2003 and 302.342, RSMo 2000. Original rule filed Jan. 15, 1985, effective June 13, 1985. Amended: Filed Nov. 12, 1991, effective March 9, 1992. Amended: Filed July 2, 1992, effective Feb. 26, 1993. Amended: Filed March 9, 1995, effective Sept. 30, 1995. Amended: Filed Oct. 10, 2003.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Revenue, Office of Legislation and Regulations, PO Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

## Title 12—DEPARTMENT OF REVENUE Division 10—Director of Revenue Chapter 24—Drivers License Bureau Rules

### PROPOSED AMENDMENT

**12 CSR 10-24.200 Driver/s/ License Classes.** The director proposes to amend sections (2), (3), (6), (8) and delete sections (17) and (18).

**PURPOSE:** This proposed amendment is required as a result of the passage of House Bill 371, as enacted by the 92nd General Assembly, 2003.

(2) Class A—The holder of a Class A license may drive any combination of vehicles with a Gross Combination Weight Rating (GCWR) [or a registered gross] of twenty-six thousand one pounds (26,001 lbs.) or more, provided the Gross Vehicle Weight Rating, (GVWR) of the vehicle(s) being towed is ten thousand one pounds (10,001 lbs.) or more; provided, the license bears the proper endorsement(s), if any, required for the type of vehicle being driven. A holder of a Class A license may drive all vehicles which may be driven by a holder of a Class B, Class C, Class E or Class F license, but not motorcycles or vehicles which require an endorsement(s) unless the proper endorsement(s) appears on the license.

(3) Class B—The holder of a Class B license may drive any single vehicle with a GVWR [or a registered gross weight] of twenty-six thousand one pounds (26,001 lbs.) or more, or any such vehicle towing a vehicle with a GVWR of ten thousand pounds (10,000 lbs.) or less; provided, the license bears the proper endorsement(s), if any, required for the type of vehicle being driven. A holder of a Class B license may drive all vehicles which may be driven by a holder of a Class C, Class E or Class F license, but not motorcycles or vehicles which require an endorsement(s) unless the proper endorsement(s) appears on the license.

(6) Class F—The holder of a Class F license may drive any motor vehicle other than one requiring the driver to hold a Class A, Class B, Class C or Class E license, including any recreational vehicle being used solely for personal use, except that the holder of a Class F license may not drive motorcycles or vehicles which require an endorsement(s) unless the proper endorsement(s) appears on the license. Nothing in this section shall be construed to prevent operators of recreational motor vehicles for personal use from operating those vehicles with a Class F license. The holder of a Class F intermediate license may drive the same types of vehicles as those driven by the holder of a Class F driver/s/ license except that the holder of a Class F intermediate license cannot operate a motor vehicle on the highways of the state between the hours of 1:00 a.m. and 5:00 a.m. unless accompanied by a person who is at least twenty-one (21) years of age. The licensee is not required to be accompanied by someone twenty-one (21) years of age or older if the travel is to or from a school or educational program or activity, a regular place of employment or in emergency situations. An emergency situation is defined as any sudden or unexpected event in which a potential injury or death may occur to a living being that requires the operation of a motor vehicle.

(8) In addition to holding the appropriate class of license as prescribed, a driver of a motor vehicle used to transport hazardous material in a type, quantity, or both, as to require placarding under the Hazardous Material Transportation Act (46 U.S.C. section 1801) and the Hazardous Materials Regulations (49 CFR part 172, subpart F) must have qualified for and obtained an H endorsement. Any applicant for a commercial driver/s/ license requiring a hazardous material endorsement shall be at least twenty-one (21) years of age.

*[(17) In addition to any other restrictions prescribed by the director, a person who takes the skills test for a Class A license in a vehicle whose combined registered gross weight is twenty-six thousand one (26,001) pounds or more, but whose combined gross vehicle weight rating as specified by the manufacturer is twenty-six thousand (26,000) pounds or less, towing a unit(s) whose gross vehicle weight rating as specified by the manufacturer is greater than ten thousand (10,000) pounds, shall be restricted to operating vehicle combinations or single vehicles with a manufacturer's specified gross vehicle weight rating of twenty-six thousand (26,000) pounds or less.*

*(18) In addition to any other restrictions prescribed by the director, a person who takes the skills test for a Class B license in a vehicle whose gross registered weight is twenty-six thousand one pounds (26,001 lbs.) or more, but whose gross vehicle weight rating as specified by the manufacturer is twenty-six thousand pounds (26,000 lbs.) or less, shall be restricted to operating vehicles with a manufacturer's specified gross vehicle weight rating of twenty-six thousand pounds (26,000 lbs.) or less.]*

**AUTHORITY:** sections 302.015[, RSMo 1994] and 302.700, RSMo [Supp. 1999] 2000. Original rule filed Jan. 16, 1990, effective May 11, 1990. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Oct. 10, 2003.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Revenue, Office of Legislation and Regulations, PO Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

## **Title 12—DEPARTMENT OF REVENUE**

### **Division 10—Director of Revenue**

#### **Chapter 24—Drivers License Bureau Rules**

#### **PROPOSED RESCISSION**

**12 CSR 10-24.450 Staggering Expiration Dates of Driver/Non-Driver Licenses.** This rule outlined the procedures for staggering the expiration date of driver/nondriver licenses being issued or renewed over a six (6)-year period as outlined in section 302.177, RSMo.

**PURPOSE:** This rule is being rescinded as the six (6)-year license expiration transition cycle is complete.

**AUTHORITY:** section 302.177, RSMo Supp. 1999. Original rule filed March 27, 2000, effective Sept. 30, 2000. Rescinded: Filed Oct. 10, 2003.

**PUBLIC COST:** This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to the proposed rescission with the Department of Revenue, Office of Legislation and Regulations, PO Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

## **Title 15—ELECTED OFFICIALS**

### **Division 30—Secretary of State**

#### **Chapter 1—Organization**

#### **PROPOSED RESCISSION**

**15 CSR 30-1.010 General Organization.** This rule described the general organization and functions of the Office of the Secretary of State to comply with the requirements of section 536.023, RSMo 2000.

**PURPOSE:** This rule is being rescinded so the new organization and functions of the Office of the Secretary of State may be described in a new proposed rule.

**AUTHORITY:** section 536.023.3, RSMo 1994. Original rule filed Dec. 5, 1975, effective Dec. 31, 1975. Amended: Filed July 15, 1985, effective Dec. 26, 1985. Amended: Filed Nov. 15, 1989, effective March 11, 1990. Amended: Filed Feb. 16, 1995, effective Sept. 30, 1995. Rescinded: Filed Oct. 28, 2003.

**PUBLIC COST:** This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of the Secretary of State, Administrative Rules Division, Lynne C. Angle, Director, PO Box 1767, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

## **Title 15—ELECTED OFFICIALS**

### **Division 30—Secretary of State**

#### **Chapter 1—Organization**

#### **PROPOSED RULE**

**15 CSR 30-1.010 General Organization**

**PURPOSE:** This rule describes the general organization and functions of the Office of the Secretary of State to comply with the requirements of section 536.023, RSMo 2000.

(1) The Office of Secretary of State has many diverse responsibilities, all linked by the common theme of information. The office collects, compiles, stores and publishes a variety of state documents. The Missouri secretary of state is the chief elections official. The secretary of state oversees several areas relating to state commerce,



such as administration of the Uniform Commercial Code and registration of corporations and securities. In addition, the secretary of state is the keeper of the Great Seal of the State of Missouri and authenticates official acts of the governor. Except where otherwise noted, the general mailing address is: 600 West Main Street, PO Box 1767, Jefferson City, MO 65102. Functions of the office are divided into seven divisions: Elections, Securities, Business Services, Library Services, Records Services, Administrative Rules and Administrative Services. The executive deputy secretary of state is second-in-command and is charged by law with implementing the policies and procedures of the secretary of state and supervising the day-to-day operations of certain phases of the office. The executive deputy secretary of state shall possess all the powers and perform any of the duties prescribed by law to be performed by the secretary of state when and for such period of time as the secretary of state may designate. The divisions of the office are as follows:

(A) State Library. The State Library is composed of the state librarian and three (3) sections: Library Development, Reference Services and Wolfner Library for the Blind and Physically Handicapped. The State Library promotes and encourages library services, continuing education, resource sharing, technology, program planning, needs assessment, and evaluation; provides counsel, advice, and continuing education to library boards; and ensures library and information services to diverse populations through libraries. It also receives federal grants including Library Services and Technology Act (LSTA) program, prepares reports, keeps records, and directs information about federal programs to libraries in the state. Information may be obtained from the state librarian in person on the second floor of the James C. Kirkpatrick State Information Center, by written request to PO Box 387, Jefferson City, MO 65102, through the Internet at [SOSMain@sos.mo.gov](mailto:SOSMain@sos.mo.gov), by fax at (573) 751-3612, or by telephone at (573) 751-3615 or (800) 325-0131.

1. The State Library Development section produces regular and informative publications, brochures, newsletters, and other publications for the Missouri library community, coordinates all activities of the Missouri Center for the Book, works with statewide and local literacy organizations and consults with libraries on the development of literacy programs. It administers federal and state grants and the privately funded grants or projects. Other programs include library automation and technology; library administration and management; state and community partnerships; youth and senior services; and the State Census Data Center. Information may be obtained from this section in person on the second floor of the James C. Kirkpatrick State Information Center, by written request, through the Internet at [SOSMain@sos.mo.gov](mailto:SOSMain@sos.mo.gov), by fax at (573) 751-3612 or by telephone at (573) 751-3615 or (800) 325-0131.

2. The State Library Reference Services section provides library and information services, reference services and research to government officials, agencies and employees. It also administers the federal and state documents programs. Information may be obtained from this section in person on the second floor of the James C. Kirkpatrick State Information Center, by written request to PO Box 387, Jefferson City, MO 65102, through the Internet at [libref@sos.mo.gov](mailto:libref@sos.mo.gov), by fax at (573) 526-1142 or by telephone at (573) 751-3615.

3. Wolfner Library for the Blind and Physically Handicapped provides public library services and administers library materials, equipment, and information services to those persons unable to use standard print. Information may be obtained from this section in person on the first floor of the James C. Kirkpatrick State Information Center, by written request to PO Box 387, Jefferson City, MO 65102, through the Internet at [Wolfner@sos.mo.gov](mailto:Wolfner@sos.mo.gov), by fax at (573) 526-2985 or, by telephone at (573) 751-8720; in-state toll free: (800) 392-2614 or TTY or TTD at (800) 347-1379.

(B) Records Services. The Records Services Division fulfills the constitutional duty of the secretary of state for the management and safekeeping of state records. Under the state and local records law,

the secretary of state administers the section providing for the efficient and economical application of management methods to the creation, utilization, maintenance, retention, preservation, and disposal of official records.

1. The State Archives is the officially designated repository for all state records of permanent value. Its mission is to identify, collect, preserve, and make available to elected officials, state government, historians, students, genealogists, and the general public, the permanent and historically valuable records of Missouri's state and local governments. The Missouri Historical Records Advisory Board (MHRAB) is the central advisory body for historical records planning and for projects relating to historic records, developed and carried out within the state. The MHRAB provides state-level appraisal of grant proposals submitted to the National Historical Publications and Records Commission by Missouri repositories and serves as the review and award panel for grant applications submitted to the Missouri Historical Records Grant Program and the Local Records Preservation Program. Information about these services may be obtained from the State Archives in person in Room 119, James C. Kirkpatrick State Information Center, by written request to PO Box 1747, Jefferson City, MO 65101-1747, by telephone at (573) 751-3280, by fax at (573) 526-7333, or through the Internet at [archref@sos.mo.gov](mailto:archref@sos.mo.gov).

2. The Missouri State Archives Local Records Preservation Program, provides assistance to units of local government by advising and educating the local records custodians in the use of sound records management and archival practices. The program's conservation laboratory provides treatment and advisory services on all aspects of records care, preservation, and disaster recovery. The Local Records Grant Program offers local governments, or political subdivisions with taxing authority, grant funding for approved records management or preservation projects. Grants may be funded up to seventy percent (70%) of the total project cost. Information on these services may be obtained from the Local Records Program in person in Room 112, James C. Kirkpatrick State Information Center, by written request to PO Box 1747, Jefferson City, MO 65101-1747, by telephone at (573) 751-9047, by fax at (573) 526-3867, or through the Internet at [lorece@sos.mo.gov](mailto:lorece@sos.mo.gov).

3. The Records Management Program assists state agencies in the development of their records management programs. Such programs include a planned and coordinated set of policies, procedures, and activities needed to ensure the efficient and effective management of an agency's records regardless of the media on which the information is recorded (i.e., electronic, paper, microfilm, etc.). The State Records Commission determines the retention and disposition of state agency records based on administrative, legal, fiscal, or historical values. Records Management provides a host of services to agencies, including consultation and technical advice, microfilm processing, duplicating and quality control, and off-site storage of documents. Information on the Records Management Program may be obtained in person in Room 153, James C. Kirkpatrick State Information Center, by written request to PO Box 1747, Jefferson City, MO 65101-1747, by telephone at (573) 751-3319, by fax at (573) 526-5327, or through the Internet at [recman@sos.mo.gov](mailto:recman@sos.mo.gov).

(C) Securities. The Securities Division administers the Missouri Uniform Securities Act through an appointed commissioner of securities. The commissioner also oversees the enforcement and licensing responsibilities of this division of the Office of Secretary of State. Information may be obtained from this division in person in Room 229, James C. Kirkpatrick State Information Center, by written request, through the Internet at [SOSMain@sos.mo.gov](mailto:SOSMain@sos.mo.gov), by fax at (573) 526-3121, or by telephone at (573) 751-4136 for securities questions.

1. The Securities Division administers the Missouri Uniform Securities Act through an appointed commissioner of securities. The division processes applications for registration and registers securities, broker-dealers, agents and investment advisers.

A. Information may be obtained from the division in person in Room 229, James C. Kirkpatrick State Information Center, by written request to PO Box 1276, Jefferson City, MO 65102.

B. Telephone requests may be directed to (573) 751-4136 for registration of securities; (573) 751-2302 for registration of broker-dealers, agents and investment advisers; and (573) 751-4704 for enforcement, exemptions, exceptions and exclusions or through the Internet at: [SOSMain@sos.mo.gov](mailto:SOSMain@sos.mo.gov).

2. The Enforcement section of the Securities Division conducts enforcement activities, including responses to suspected violations or complaints. In the case of suspected violations, the Enforcement section may conduct investigations. The Enforcement section may seek administrative sanctions from the commissioner prohibiting or conditioning the further sale of securities; denying, suspending or revoking the registration of broker-dealers, agents, investment advisers, and investment adviser representatives; or censuring any registrant. The commissioner may seek an injunction, writ of mandamus, the appointment of a receiver or conservator, and other equitable relief in a circuit court. The commissioner may refer cases for criminal prosecution to prosecuting attorneys and the attorney general, and the commissioner or the Enforcement section may assist in those prosecutions. The Enforcement section may coordinate with the enforcement efforts of the attorney general, prosecuting attorneys and any state or federal law enforcement agencies.

3. The Registration section reviews applications for securities registrations, notice filings for state exemptions and federal covered securities and applications for broker-dealers, agents, investment advisers and investment adviser representatives and may recommend action on any such application to the commissioner. It also makes recommendations to the commissioner for determinations of whether a specific security or certain transactions would be exempt from registration. The Registration section may also refer matters to the Enforcement section. The Registration section, upon proper request from any person, shall propose interpretive opinions for issuance by the commissioner.

(D) Business Services. The Business Services Division is composed of three (3) sections. The deputy secretary for business services is responsible for overseeing the day-to-day functions of each section, and for the direct supervision of the management staff of each section. The Business Services Division also oversees branch offices for corporate filings in St. Louis, Kansas City and Springfield.

1. The Corporations section administers the laws and filings of business entities organized under the laws of Missouri and business organizations from other jurisdictions having certificates of authority to do business in the state of Missouri. Corporations are required to file articles of incorporation and amended articles, instruments affecting mergers or consolidations and articles of dissolution and termination. Each corporation must file an annual registration report and pay annual registration fees to remain in good standing. This section processes dissolutions, terminations, and forfeitures. The section also administers all registration of fictitious names and provides certified copies of documents relating to the organization of business entities. In addition to these basic functions, this section handles daily communications from attorneys and individuals requesting information contained in the respective entity files. Another service of this section is to furnish and regulate the availability of entity names so that those names are protected and distinguishable from one another.

A. The public may obtain information from this section in person in Room 322 of the James C. Kirkpatrick State Information Center, 600 West Main Street, Jefferson City, Missouri, or by fax at (573) 751-5841; or Room 225, Wainwright State Office Building, St. Louis, Missouri, or by fax at (314) 340-7500; or Room 513, Kansas City State Office Building, Kansas City, Missouri, or by fax at (816) 889-2879; or the Landers State Office Building, Springfield, Missouri, or by fax at (417) 895-6537, or through the Internet at [SOSMain@sos.mo.gov](mailto:SOSMain@sos.mo.gov).

B. The public may also obtain information from this section by written request to PO Box 778, Jefferson City, MO 65102.

C. Telephone inquiries may be directed as follows: corporate and fictitious name information, (573) 751-4153; new corporation filings, (573) 751-2359 or (573) 751-4544; amendments, (573) 751-4609; mergers and rescissions, (573) 751-4178; certified copies, (573) 751-4100; dissolutions, liquidations and withdrawals, (573) 751-3230; corporate forms, (573) 751-3827; cashier, (573) 751-2793; annual registration forms, (573) 751-2300; and registration of fictitious names, name availability and name reservation, (573) 751-3317; or, through the Internet at [SOSMain@sos.mo.gov](mailto:SOSMain@sos.mo.gov), by fax at (573) 751-5841.

2. The Uniform Commercial Code (UCC) section has the duty of perfecting liens or security interests for many loans in Missouri. These loans are perfected by the filing of a financing statement which when filed shows the date, hour and file number.

A. The public may obtain information from this section in person in Room 322, James C. Kirkpatrick State Information Center, Jefferson City, Missouri.

B. The public may also obtain information from this section by written request to PO Box 1159, Jefferson City, MO 65102.

C. Telephone inquiries may be directed to (573) 751-4179, or, through the Internet at [SOSMain@sos.mo.gov](mailto:SOSMain@sos.mo.gov), or by fax at (573) 522-2057.

3. The Commissions section performs the constitutional duties of the secretary of state relating to affixing the Great Seal of the State of Missouri and authenticating all official acts of the governor, except the approval of laws. The section maintains a record of the governor's proclamations, executive orders, commissions and appointments, extraditions, domestic requisitions, commutations and restorations of citizenship and also prepares certificates of appointments and commissions. Commissions staff of the secretary of state's office sign and seal requests for extradition, domestic requisitions, commutations and restoration of citizenship. Commissions also receives, reviews and maintains all notary public applications, oaths, bonds and commissions. This section processes trademark and service mark registrations, furnishes certificates of registration and maintains a register of the marks. Service of process is received, processed and forwarded from this section.

A. Information may be obtained from the section by written request to PO Box 784, Jefferson City, MO 65102, by telephone at (573) 751-2783, by fax at (573) 751-8199, or through the Internet at [SOSMain@sos.mo.gov](mailto:SOSMain@sos.mo.gov), in person in Room 367, James C. Kirkpatrick State Information Center, Jefferson City, Missouri.

(E) Elections. The Elections Division administers all statewide elections for both candidates and issues. The division administers the filing of candidates for governor, lieutenant governor, secretary of state, auditor, treasurer, attorney general, United States senators and congressmen, Missouri state senators and representatives and certain judicial candidates. The division also prepares ballots, certifies lists of candidates for primary elections to the county clerks and election boards, certifies nominees following the primary election, prepares ballots for the general election, canvasses returns, and publishes returns. Also initiative and referendum petitions and petitions to place new political parties on the ballot are filed with the secretary of state. The division and the secretary determine if the petitions have a sufficient number of qualified signatures to be placed on the ballot. Before the convening of each general assembly the division prepares a list of the duly elected members for the secretary of state to present to the speaker of the house and the secretary of the senate. The division accepts and maintains a file of annual reports from county clerks on fees and salaries of elected county officials, coordinates the implementation of the National Voter Registration Act in Missouri, and administers the centralized voter registration database. The operations of this division are supervised by two (2) co-directors, one (1) republican and one (1) democrat. Information may be obtained from this division in person in Room 337, James C. Kirkpatrick State Information Center, by written request to PO Box

1767, Jefferson City, MO 65102, through the Internet at [Elections@sos.mo.gov](mailto:Elections@sos.mo.gov), by fax at (573) 526-3242 or by telephone at (573) 751-2301.

(F) Administrative Services. The Administrative Services Division is responsible for certain statutory and public service requirements of the secretary of state's office.

1. The Budget Office section supports the secretary of state's office in matters involving budgets and funding for expense and equipment and personal service appropriations.

2. The Fiscal Office processes payments to vendors, and administers the requirements of contracts for purchase and lease of equipment established by the office.

3. The Human Resources Office supports the following functions: staff payroll processing, employee benefits, training, performance evaluation and personnel recruitment.

4. Information may be obtained from the division by written request to PO Box 1767, Jefferson City, MO 65102, by telephone at (573) 751-3246, through the Internet at [SOSMain@sos.mo.gov](mailto:SOSMain@sos.mo.gov), by fax at (573) 522-6289 or in person in Room 337, James C. Kirkpatrick State Information Center.

(G) Administrative Rules. The Administrative Rules Division is the central filing office for the administrative rules of all state agencies. Chapter 536, RSMo, mandates that this division of the Office of Secretary of State publish the *Missouri Register*, which contains the text of all new proposed rules, amendments and rescissions. This publication is currently published twice-monthly. Once finalized and adopted, the rule becomes part of the permanent volumes of the *Code of State Regulations*, which is a compilation of the final rules and consists of printed loose-leaf volumes containing all of the Titles and Divisions of all state agencies. The updates to the *Code of State Regulations* are published once a month. Additionally, section 536.023, RSMo requires the Administrative Rules Division to set forth in writing the policies and procedures for the uniform standards for preparing and filing rules. The Administrative Rules Division publishes a guide to administrative rulemaking, commonly known as *Rulemaking 1-2-3, Missouri Style*.

1. Information may be obtained from the division by written request to PO Box 1767, Jefferson City, MO 65102, or by telephone at (573) 751-4015, through the Internet at [rules@sos.mo.gov](mailto:rules@sos.mo.gov), by fax at (573) 751-3032, or in person in Room 337, James C. Kirkpatrick State Information Center, 600 West Main Street, Jefferson City, Missouri.

2. All rules filed are open to public inspection during normal business hours. Copying service and certified copies of rules are available for a fee as set forth in the statutes.

3. The *Code of State Regulations* and the *Missouri Register* are also posted, free of charge, on the Internet at <http://www.sos.mo.gov/moreg/moreg.asp> (*Missouri Register*) or <http://www.sos.mo.gov/csr/csr.asp> (*Code of State Regulations*), and the uniform standards and procedures for rulemaking, *Rulemaking 1-2-3, Missouri Style* at: <http://www.sos.mo.gov/adrules/manual/manual.asp>.

(H) The Publications section publishes the *Constitution of Missouri*, the *Official Manual State of Missouri* and *Missouri Election Laws*. It also publishes and distributes official returns of primary and general elections; a roster of state, district and county officers; a roster of democratic and republican party candidates and committee members; corporation laws, securities laws, *Uniform Commercial Code Manual*; and laws relating to notaries public and other bulletins. The section prepares materials for publication and awards printing and binding contracts on a competitive basis. All publications are available for distribution to the general public on request.

1. Requests for publications may be made by written request to Room 112, James C. Kirkpatrick State Information Center, 600 West Main Street, Jefferson City, MO 65101, by telephone request to Publications section at (573) 526-4218, through the Internet at [SOSMain@sos.mo.gov](mailto:SOSMain@sos.mo.gov), or by fax at (573) 526-2970.

2. Publications generally are available free of charge, or in some cases, for the cost of printing and mailing.

(I) The Information Technology section provides computer hardware, software, and network support, new system development, web development, and technology planning, implementation, support and maintenance for computer and information systems throughout the Office of Secretary of State. Information may be obtained from this section in person in Room 262, James C. Kirkpatrick State Information Center, by written request or through the Internet at [SOSMain@sos.mo.gov](mailto:SOSMain@sos.mo.gov), by fax at (573) 751-3612 by telephone at (573) 751-3005.

(J) Mailroom and Office Support section: This unit is responsible for opening and distributing mail, shipping and receiving for the entire office, messenger service, keeping office supplies, and vehicle maintenance and reservations. Information may be obtained from this unit in person in Room 281, James C. Kirkpatrick State Information Center, by written request to PO Box 778, Jefferson City, MO 65102 or through the Internet at [SOSMain@sos.mo.gov](mailto:SOSMain@sos.mo.gov), by fax at (573) 522-1945.

(2) All divisions and sections of the Office of the Secretary of State make every effort to insure program accessibility to those with disabilities. The secretary of state's Americans with Disabilities Act (ADA) Self Evaluation and Transition Plan is available for inspection in the Administrative Services Division. All divisions and sections are accessible by telephone to those with speech or hearing impairments by contacting Missouri Relay at (800) 735-2466 and using the telephone numbers listed above. In addition, the Wolfner Library for the Blind and Physically Handicapped is equipped with either TTD or TTY equipment and may be contacted at (800) 347-1379.

*AUTHORITY: section 536.023.3, RSMo 2000. Original rule filed Dec. 5, 1975, effective Dec. 31, 1975. Amended: Filed July 15, 1985, effective Dec. 26, 1985. Amended: Filed Nov. 15, 1989, effective March 11, 1990. Amended: Filed Feb. 16, 1995, effective Sept. 30, 1995. Rescinded and readopted: Filed Oct. 28, 2003.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Secretary of State, Administrative Rules Division, Lynne C. Angle, Director, PO Box 1767, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

## **Title 15—ELECTED OFFICIALS Division 30—Secretary of State Chapter 45—Records Management**

### **PROPOSED RESCISSION**

**15 CSR 30-45.040 Missouri Historical Records Advisory Board (MHRAB) Regrant Program Administration.** This rule outlined the management plan of the grants-in-aid program for historical records preservation.

*PURPOSE: The rule is being rescinded to comply with new Missouri Historical Records Advisory Board Regrant Program Guidelines.*



*AUTHORITY: sections 109.221.3 and 109.221.5, RSMo Supp. 1999. Original rule filed Oct. 6, 2000, effective April 30, 2001. Rescinded: Filed Oct. 6, 2003.*

*PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of the Secretary of State, Missouri State Archives Division, Kenneth H. Winn, State Archivist, PO Box 1747, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 15—ELECTED OFFICIALS  
Division 30—Secretary of State  
Chapter 45—Records Management**

**PROPOSED RULE**

**15 CSR 30-45.040 Missouri Historical Records Advisory Board (MHRAB) Regrant Program Administration**

*PURPOSE: This rule outlines the authority of the grants-in-aid program for historical records preservation through the Office of the Secretary of State.*

(1) The Missouri Historical Records Grant Program, administered by the Office of the Secretary of State, on behalf of the Missouri Historical Records Advisory Board, provides financial assistance to historical records repositories to support cooperative strategies, education for records keepers, and preservation and expanded access to records. This grants-in-aid program is a significant effort in the overall mission of the agency to enhance the quality of archival preservation and public access to records of historical value.

(A) Eligible applicants include historical, ethnic and religious societies, museums, libraries, colleges, universities, and others whose archival collections or records of historical value are open to the public on equal terms for everyone.

(B) Local government entities are ineligible as the Local Records Preservation Program (initiated in 1991) offers direct help for records preservation and management to all jurisdictions supported by tax levies.

(C) Procedures and Evaluation of Applications.

1. The Missouri Historical Records Advisory Board (MHRAB) recommends grant:

- A. Activities, requirements and objectives;
- B. Cost-sharing contributions, budget structure, payment benchmarks and accounting guidelines;
- C. Calendars.

2. The MHRAB reviews and evaluates applications, and makes awards in the program.

3. The process to be followed in writing and submitting a grant proposal is found in the *Missouri Historical Records Grant Program Guidelines and Application 2003-2004* available on the secretary of state website: [www.sos.mo.gov](http://www.sos.mo.gov). Paper copies are available from the Missouri Historical Records Grant Program, PO Box 1747, Jefferson City, MO 65102, (573) 751-4303.

*AUTHORITY: sections 109.221.3 and 109.221.5, RSMo 2000. Original rule filed Oct. 6, 2000, effective April 30, 2001. Rescinded and readopted: Filed Oct. 6, 2003.*

*PUBLIC COST: This proposed rule will cost state agencies or political subdivisions ninety-four thousand, five hundred ninety-five dollars, and seventy cents (\$94,595.70) in the aggregate.*

*PRIVATE COST: This proposed rule will cost the Missouri State Documents Preservation Fund twenty-five thousand dollars (\$25,000) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Secretary of State, Missouri State Archives Division, Kenneth H. Winn, State Archivist, PO Box 1747, Jefferson City MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*



**FISCAL NOTE**

**PUBLIC COST**

**I. Rule Number**

Title: 15 ELECTED OFFICIALS  
Division: 30 – Secretary of State  
Chapter: 45 – Records Management

Type of Rulemaking: PROPOSED RULE

Rule Number and Name: 15 CSR 30-45.040 Missouri Historical Records Advisory Board Regrant Program

**II. Summary of Fiscal Impact**

Affected Agency or Political Subdivision: Missouri State Archives, a division of the Office of the Secretary of State

Estimated Cost of Compliance in the Aggregate: \$94,595.70 for the life of the rule, April 1, 2004 through June 30, 2005.

**III. Worksheet**

Salaries and Wages	\$28,113
Fringe Benefits	9,558
Travel	1,740
Regrant Funds	55,184.70

**IV. Assumptions**

During the 2002-2003 legislative session, the Missouri General Assembly re-appropriated \$55,184.70 state funds remaining from an appropriation of \$300,000 (1999-2000) for support of the Missouri Historical Records Advisory Board Regrant Program. Also during the 2002-2003 session, the General Assembly re-appropriated use of \$52,422.65 federal funds (granted by the National Historical Publications and Records Commission, the grant-awarding arm of the National Archives and Records Administration) remaining from the federal matching grant of \$300,000 originally approved during 1999-2000.

The remaining \$39,411 is a redirection of previously appropriated operating funds and cost shared contributions.

Additional support for this program came in 2002-2003 with the General Assembly's approval to receive and expend \$55,332 federal grant funds from the National Historical Publications and Records Commission.

A state agency's cost to develop and submit an application to the program should not exceed \$100. The Missouri Historical Records Advisory Board does not expect to receive a significant number of state agency applications, as most often state agencies seek in excess of \$20,000, the maximum award in this program. At increased levels of assistance, agencies would most likely pursue federal award programs.

**FISCAL NOTE****PRIVATE COST****I. Rule Number**

Title: 15 -- ELECTED OFFICIALS

Division: 30 -- Secretary of State

Chapter: 45 -- Records Management

Type of Rulemaking: PROPOSED RULE

Rule Number and Name: 15 CSR 30-45.040 Missouri Historical Records  
Advisory Board Regrant Program**II. Summary of Fiscal Impact**

Affected Entity: Missouri State Documents Preservation Fund

Estimated Cost of Compliance in the Aggregate: \$25,000 for the life of the  
rule, April 1, 2004 through June 30, 2005.**III. Worksheet**

Regrant Funds \$25,000

**IV. Assumptions**

During the 2002-2003 legislative session, the Missouri General Assembly appropriated expenditure of \$25,000 from the State Documents Preservation Fund to support the Missouri Historical Records Advisory Board Regrant Program. These private funds were matched (two-to-one) with a \$55,332 grant award from the National Historical Publications and Records Commission, a division of the National Archives and Records Administration (\$50,000 regrant funds plus \$5,332 in administrative support funds for the Missouri Historical Records Advisory Board).

The cost to a community history organization to develop and submit an application to the program should not exceed \$100.

**Title 15—ELECTED OFFICIALS**  
**Division 30—Secretary of State**  
**Chapter 54—Exemptions and Federal Covered Securities**

**PROPOSED RULE**

**15 CSR 30-54.175 Solicitation of Interest**

*PURPOSE: This rule prescribes the procedures and the record that needs to be provided to offerees to comply with section 409.2-202(17) of the Missouri Securities Act of 2003.*

(1) Scope of the Exemption. The solicitation of interest exemption under section 409.2-202(17) of the Missouri Securities Act of 2003 (the Act) is only available to issuers that are eligible and relying on an exemption under the Securities Act of 1933.

(2) Form and Content. The record to offerees shall consist of a preliminary offering document that meets the following requirements:

(A) The outside front cover page shall comply with subsection 230.255(a)(1) of regulation A under the Securities Act of 1933 or shall state—

A registration statement pursuant to the Missouri Securities Act of 2003 relating to these securities has been filed with the Missouri Securities Division. This Preliminary Offering Document is being distributed pursuant to the exemption under section 409.2-202(17) of the Missouri Securities Act of 2003.

Information contained in this Preliminary Offering Document is subject to completion or amendment. These securities may not be sold nor may offers to buy be accepted prior to the time an offering document which is not designated as a Preliminary Offering Document is delivered and the offering statement filed with the Division becomes qualified. This Preliminary Offering Document shall not constitute an offer to sell or the solicitation of an offer to buy. Under no circumstances shall the issuer collect any funds for the securities while relying upon the exemption under section 409.2-202(17) of the Missouri Securities Act of 2003.

and

(B) The preliminary offering document shall contain substantially the information required in an offering circular under the form 1-A or form U-7.

(3) Filing. The issuer shall file the preliminary offering document and all related documents with the Securities Division as part of the registration statement prior to making any solicitations of interest under the exemption of section 409.2-202(17).

(4) No funds can be collected by the issuer for the securities while relying upon the exemption under section 409.2-202(17).

*AUTHORITY: sections 409.2-202(17), 409.6-605 and 409.6-608, RSMo Supp. 2003. Emergency rule filed Oct. 10, 2003, effective Nov. 3, 2003, expires April 30, 2004. Original rule filed Oct. 10, 2003.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Secretary of State's Office, Doug Ommen, Commissioner of Securities, 600 West Main Street, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after*

*publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 15—ELECTED OFFICIALS**  
**Division 30—Secretary of State**  
**Chapter 54—Exemptions and Federal Covered Securities**

**PROPOSED RESCISSION**

**15 CSR 30-54.230 Exemption for Certain Unit Investment Trust Units.** This rule prescribed the circumstances under which certain transactions in unit investment trust were exempt from section 409.301, RSMo.

*PURPOSE: The commissioner of securities is proposing to rescind this rule for the transactions exempted under this rule involve federal covered securities.*

*AUTHORITY: sections 409.402(c) and RSMo 1986. Original rule filed Oct. 16, 1986, effective Feb. 12, 1987. Rescinded: Filed Oct. 10, 2003.*

*PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Secretary of State's Office, Doug Ommen, Commissioner of Securities, 600 West Main Street, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 15—ELECTED OFFICIALS**  
**Division 30—Secretary of State**  
**Chapter 54—Exemptions and Federal Covered Securities**

**PROPOSED RESCISSION**

**15 CSR 30-54.240 Missouri Issuer Exemption.** This rule exempted certain transactions in securities from section 409.301, RSMo.

*PURPOSE: The commissioner of securities is proposing to rescind this rule for the transactions exempted under this rule are available under other exemptions or designated as federal covered securities and the exemption is no longer used by issuers.*

*AUTHORITY: sections 409.402(c) and 409.413(a), RSMo 1986. Original rule filed June 2, 1986, effective Oct. 27, 1986. Amended: Filed Oct. 15, 1987, effective Jan. 29, 1988. Amended: Filed March 27, 1989, effective June 12, 1989. Amended: Filed Jan. 3, 1990, effective March 11, 1990. Rescinded: Filed Oct. 10, 2003.*

*PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Secretary of State's Office, Doug Ommen, Commissioner of*

*Securities, 600 West Main Street, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

## Title 15—ELECTED OFFICIALS

### Division 30—Secretary of State

#### Chapter 54—Exemptions and Federal Covered Securities

#### PROPOSED RESCISSION

**15 CSR 30-54.280 Tax Credit Exemption.** This rule facilitated the issuance of tax credits pursuant to section 135.400, RSMo.

*PURPOSE: The commissioner of securities is proposing to rescind this rule for there has not been funding for the issuance of tax credits under this section for many years. In addition, if funding were to become available under this section, the commissioner will adopt a new rule that complies with the Missouri Securities Act of 2003 that became effective September 1, 2003.*

*AUTHORITY: section 409.413(a), RSMo 1986. Emergency rule filed Dec. 21, 1992, effective Dec. 31, 1992, expired April 29, 1993. Emergency rule filed April 14, 1993, effective April 30, 1993, expired Aug. 27, 1993. Original rule filed Feb. 5, 1993, effective July 8, 1993. Rescinded: Filed Oct. 10, 2003.*

*PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Secretary of State's Office, Doug Ommen, Commissioner of Securities, 600 West Main Street, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

## Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

### Division 30—Division of Health Standards and Licensure

#### Chapter 82—General Licensure Requirements

#### PROPOSED AMENDMENT

**19 CSR 30-82.060 Hiring Restrictions—Good Cause Waiver.** The department proposes to amend sections (1)–(16), add new sections (5), (15) and (18), renumber sections accordingly and remove the forms that follow the rule in Code.

*PURPOSE: This amendment sets forth the amended procedures for an employee or prospective employee of an in-home services provider agency or home health agency to request a waiver of the hiring restrictions imposed by section 660.317.7, RSMo, as included in Senate Bill No. 4 passed by the Second Extraordinary Session of the 92nd General Assembly. These amended procedures supplement the existing procedures to request a waiver of the hiring restrictions set forth in section 660.317.6, RSMo.*

#### (1) Definitions.

(A) Applicant means a person who has been or would be rejected for employment by a provider due to the hiring restrictions found in section 660.317, RSMo [Supp. 1998].

(B) Department means the Department of Health and Senior Services.

[[B]] (C) Determination means the decision issued by the director of the [division] Department of Health and Senior Services or the director's designee based on the factual, procedural or causal issues of the request for waiver.

[[C]] (D) Director means the director of the [Division of Aging] Department of Health and Senior Services.

[[D] Division means the Division of Aging of the Missouri Department of Social Services.]

(E) Good cause waiver means a finding that it is reasonable to believe that the restrictions imposed by section 660.317, RSMo [Supp. 1998], on the employment of an applicant may be waived after an examination of the applicant's prior work history and other relevant factors is conducted and demonstrates that such applicant does not present a risk to the health or safety of residents, patients or clients if employed by a provider.

(F) Provider means any person, corporation or association who—

1. Is licensed as an operator pursuant to Chapter 198, RSMo;

2. Provides in-home services under contract with the Department of [Social] Health and Senior Services;

3. Employs nurses or nursing assistants for temporary or intermittent placement in health care facilities;

4. Is an entity licensed pursuant to Chapter 197, RSMo; [or]

5. Is a public or private facility, day program, residential facility or specialized service operated, funded or licensed by the Department of Mental Health[.]; or

6. Is a licensed adult day care provider.

(2) Any person who is not eligible for employment by a provider due to the hiring restrictions found in section 660.317, RSMo [Supp. 1998], may apply to the [division] director for a good cause waiver. If the [division] director, or the director's designee, determines that the applicant has demonstrated good cause, such restrictions prohibiting such persons from being hired by a provider shall be waived and such persons may be so employed unless rejected for employment on other grounds. Hiring restrictions based on the Department of Health and Senior Services' employee disqualification list established pursuant to section 660.315, RSMo, are not subject to a waiver.

(3) The [division] director, or the director's designee, shall accept an application for a good cause waiver only if the application—

(A) Is submitted in writing by the applicant on the form provided by the [division] department;

(C) Is signed by the applicant [under oath or affirmation];

(D) Includes an indication of the type of waiver that is being requested;

(E) Includes a complete history of residency since the earliest disqualifying offense or incident;

(F) Includes a complete employment history since the age of eighteen (18) years;

[[D]] (G) Includes an attached explanation written by the applicant as to why the applicant believes he or she no longer poses a risk to the health, safety or welfare of residents, patients or clients;

(H) Includes an attached description written by the applicant of the events that resulted in each disqualifying offense or incident;

[[E]] (I) Includes attached documentation on the applicant's professional, vocational or occupational licensure, certification or registration history and current status, if any, in this state and any other state; [and]

[[F]] (J) Includes at least one (1) reference letter from a sponsor. If the applicant is not able to obtain a sponsor, the applicant shall so state, shall identify those potential sponsors who have been approached by the applicant, and shall submit three (3) reference letters from individuals knowledgeable of the applicant's character or work history who are not related to or residing with the applicant[.];



(K) Includes a criminal history record from the Missouri State Highway Patrol if requesting a waiver of disqualifying criminal offenses;

(L) Includes a certified court document for each disqualifying criminal offense. If such document is not obtainable, a written and signed statement from the court indicating that no such record exists must be submitted;

(M) Includes certified investigative reports from the Department of Social Services if requesting a waiver of child abuse or neglect findings or a waiver of foster parent license denial, revocation, or involuntary suspension;

(N) Includes certified investigative reports or other documentation of the incident(s) which resulted in the applicant's inclusion on all other lists in the Family Care Safety Registry for which waiver is requested; and

(O) If in addition to the criminal offense(s) for which the applicant is requesting a waiver the applicant has any pending felony or misdemeanor charges, includes a statement explaining the circumstances and certified copies of the charging documents for all pending criminal charges; and, in the case of an applicant seeking a position with an in-home services provider agency or home health agency, if in addition to the circumstances related to the listing on any of the background checklists of the Family Care Safety Registry for which the applicant is requesting a waiver the applicant has any pending circumstances which if established would lead to an additional listing on any of the background check lists of the Family Care Safety Registry, includes a statement explaining the circumstances and certified copies of documents relating to those circumstances.

(4) The *[division]* director, or the director's designee, will not consider any application for a good cause waiver unless it is fully completed, *[properly attested to or affirmed]* signed by the applicant, and contains all required attachments.

(5) Each completed application will be reviewed by a good cause waiver committee of two (2) or more employees of the department. The director shall determine the size of the committee and shall, from time to time, appoint members to serve on the committee.

(A) If the applicant seeks a good cause waiver of placement on the disqualification list maintained by the Department of Mental Health, the director shall appoint an employee of the Department of Mental Health recommended by the director of the Department of Mental Health to serve on the good cause waiver committee.

(B) A member of the good cause waiver committee shall recuse himself or herself in a good cause waiver review in which the member's impartiality might reasonably be questioned, including but not limited to instances where the committee member has a personal bias or prejudice concerning the applicant, or personal knowledge of evidentiary facts concerning the application for good cause waiver.

*[(5)]* (6) The *[division]* department may, at any time during the application process or review thereof, request additional information from the applicant. If the applicant fails to supply any requested additional information within thirty (30) calendar days of the date of the request, unless the applicant requests and the *[division]* department grants an extension, the *[division]* department will consider the application for good cause waiver to be withdrawn by the applicant.

*[(6)]* (7) The *[division]* shall review each completed application and department may request the applicant, prior to the completion of the review, to appear in person to answer questions about his or her application. If the applicant is requested to appear in person, the department, in its sole discretion, shall determine the loca-

tion for the appearance and may conduct any such proceedings using electronic means, including but not limited to telephonic or video conferencing. The *[division]* department shall review and may investigate the information contained in each application for completeness, accuracy and truthfulness. The burden of proof shall be upon the applicant to demonstrate that he or she no longer poses a risk to the health, safety or welfare of residents, patients or clients. The following factors shall be considered in determining whether a good cause waiver should be granted:

(A) The applicant's age at the time the crime was committed or at the time the incident occurred that resulted in the applicant being listed on the background checklists in the Family Care Safety Registry;

(B) The circumstances surrounding the crime or surrounding the incident that resulted in the applicant being listed on the background checklists in the Family Care Safety Registry;

(C) The length of time since the conviction or since the occurrence of the incident that resulted in the applicant being listed on the background checklists in the Family Care Safety Registry;

(D) The length of time since the applicant completed his or her sentence for the disqualifying conviction(s), whether or not the applicant was confined, conditionally released, on parole or probation;

(E) The applicant's entire criminal history and entire history of all incidents that resulted in the applicant being listed on the background checklists in the Family Care Safety Registry, including whether *[it]* that history shows a repetitive pattern of offenses or incidents;

(F) The applicant's prior work history;

(G) Whether the applicant had been employed in good standing by a provider but subsequently became ineligible for employment due to the hiring restrictions in section 660.317, RSMo *[Supp. 1998]*;

(H) Whether the applicant has been convicted or found guilty of, or pled guilty or *nolo contendere* to any offense displaying extreme brutality or disregard for human welfare or safety;

(I) Whether the applicant has omitted a material fact or misrepresented a material fact pertaining to his or her criminal or employment history or to his or her history of incidents that resulted in his or her being listed on the background checklists in the Family Care Safety Registry;

(J) Whether the applicant has ever been listed on the Employee Disqualification List maintained by the *[division]* department as provided in section 660.315, RSMo *[1994]*;

(K) Whether the applicant's criminal offenses were committed, or the incidents that resulted in the applicant being listed on the background checklists in the Family Care Safety Registry occurred, during the time he or she was acting as a provider or as an employee for a provider;

(L) Whether the applicant has, while disqualified from employment by a provider, obtained employment by fraud, deceit, deception or misrepresentation, including misrepresentation of his or her identity;

(M) Whether the applicant has ever had a professional or occupational license, certification, or registration revoked, suspended, or otherwise disciplined;

*[(M)]* (N) Any other information relevant to the applicant's employment background or past actions indicating whether he or she would pose a risk to the health, safety or welfare of residents, patients or clients; and

*[(N)]* (O) Whether the applicant has supplied all information requested by the *[division]* department.

*[(7)]* (8) If, at the time of an application for a waiver, or during the waiver consideration process, the applicant has been charged or indicted for, but not convicted of, any of the crimes covered under the provisions of section 660.317, RSMo, the *[division]* department will hold the request for waiver in abeyance while such charges

are pending or until a court of competent jurisdiction enters a judgment or order disposing of the matter.

**[[8]] (9)** Each applicant who submits a waiver application meeting the requirements of section (3) of this rule shall be notified in writing by the director, *[of the division]* or the director's designee, as to whether his or her application has resulted in a determination of good cause or no good cause. Such notification shall be effective if sent to the applicant's address given on the application.

**[[9]] (10)** Any good cause waiver granted to an applicant applies only to:

(A) *[t]*The specific disqualifying conviction(s), finding(s) of guilt, plea(s) of guilty or *nolo contendere*, as contained in the certifying copies of the court documents which are required in the *[A]*application *[for a Good Cause Waiver (MO Form 886-3654).]; and/or*

(B) **The incident(s) that resulted in the applicant being listed on the background checklists in the Family Care Safety Registry, as contained in the investigative reports or other supporting documentation required in the application or subsequently requested by the department.**

**[[10]] (11)** Any good cause waiver granted to an applicant applies only to those disqualifying criminal convictions or incidents that resulted in the applicant being listed on the background checklists in the Family Care Safety Registry, as covered under the provisions of section 660.317, RSMo *[Supp. 1998]*, and shall not apply to any other hiring restriction or exclusion imposed by any other federal or state laws or regulations.

**[[11]] (12)** The *[division]* director, or the director's designee, may withdraw a good cause waiver if it receives information or finds that—

(A) The applicant has omitted a material fact or misrepresented a material fact in seeking a good cause waiver;

(B) The applicant has been subsequently convicted or found guilty of, or pled guilty or *nolo contendere* to any class A or B felony violation of Chapter 565, 566, or 569, RSMo, or any violation of subsection 3 of section 198.070, RSMo, or section 568.020, RSMo, in this state or any other state;

(C) **Such applicant is a prospective or current employee of an in-home services provider or home health agency and has been subsequently involved in an incident that results in the applicant being listed on any of the background checklists in the Family Care Safety Registry;**

**[[C]] (D)** The applicant has omitted, misrepresented or failed to disclose or provide any of the information required by section 660.317, RSMo *[Supp. 1998]*, or the provisions of this rule; or

**[[D]] (E)** There has been a material change in the circumstances upon which the good cause waiver was granted.

**[[12]] (13)** If the good cause waiver is withdrawn by the *[division]* department, the notice of such withdrawal shall be mailed by the *[division]* department to the applicant's last known address, with a copy of the notice sent to the applicant's last known employer, if any.

**[[13]] (14)** No applicant may be employed in a direct care or direct service position with a provider during the pendency of a request for waiver unless the applicant has been continuously employed by that provider prior to August 28, *[1997]* 2003. **If an applicant is employed on or after August 28, 2003, he or she may be employed following submission of a completed waiver application on a conditional basis to provide in-home services or home health services to any in-home services client or home health patient during the pendency of that waiver application if:**

(A) **The disqualifying crime is not one that would preclude employment pursuant to subsection 6 of section 660.317, RSMo; and**

**(B) The applicant is not listed on the Department of Health and Senior Services' employee disqualification list established pursuant to section 660.315, RSMo.**

**(15) If a waiver is denied to an applicant employed on or after August 28, 2003, on a conditional basis, the conditional employment shall immediately terminate.**

**[[14]] (16)** Applicants who have been denied a good cause waiver, or who have had their good cause waivers withdrawn by the *[division]* department, may reapply one (1) time every twelve (12) months, or whenever the circumstances related to the disqualifying conviction(s) have changed.

**[[15]] (17)** Each provider shall be responsible for—

(A) Requesting criminal background checks on all *[employment applicants]* prospective employees, regardless of waiver status, in accordance with the provisions of sections 660.317 and 43.540, RSMo *[Supp. 1998]*; and

(B) Contacting the *[division]* department to confirm the validity of a/n applicant's/ prospective employee's good cause waiver prior to hiring the *[applicant]* prospective employee if the prospective employee reveals the existence of a good cause waiver or reveals the existence of an otherwise disqualifying circumstance.

**(18) Each in-home services provider or home health provider shall also be responsible for—**

(A) Requesting Family Care Safety Registry background screenings on all prospective employees, regardless of waiver status, in accordance with the provisions of section 660.317.7, RSMo; and

(B) Contacting the department to confirm the validity of a prospective employee's good cause waiver prior to hiring the prospective employee if the prospective employee reveals the existence of a good cause waiver or reveals the existence of an otherwise disqualifying circumstance.

**[[16]] (19)** All applications for good cause waivers and related documents shall become permanent records maintained by the *[division]* department.

**AUTHORITY:** sections 660.017, RSMo 2000, 660.050, and 660.317, RSMo Supp. *[1998]* 2003. This rule was originally filed as 13 CSR 15-10.060. Emergency rule filed March 1, 1999, effective March 30, 1999, expired Jan. 10, 2000. Original rule filed March 1, 1999, effective Sept. 30, 1999. Moved to 19 CSR 30-82.060, effective Aug. 28, 2001. Emergency amendment filed Oct. 15, 2003, effective Oct. 26, 2003, expires April 22, 2004. Amended: Filed Oct. 15, 2003.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will cost private entities an estimated forty thousand dollars (\$40,000) during the first year of implementation and an estimated one thousand three hundred sixty dollars (\$1,360) annually for the life of the rule. A fiscal note containing a detailed estimated cost of compliance has been filed with the secretary of state.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Health and Senior Services, Division of Senior Services and Regulation, David S. Durbin, Director, PO Box 570, Jefferson City, MO 65102-0570. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**FISCAL NOTE  
PRIVATE ENTITY COST**

**I. RULE NUMBER**

Title: 19 – Department of Health and Senior Services

Division: 30 -- Division of Health Standards and Licensure

Chapter: 82 -- General Licensure Requirements

Type of Rule Making: Proposed Amendment

Rule Number and Name: 19 CSR 30-82.060 - Hiring Restrictions – Good Cause Waiver

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities.
500	In-home services providers and home health agencies	\$40,000/first year \$1,360 annually thereafter

**III. WORKSHEET**

First year: 500 additional good cause waiver requests filed X \$80 per waiver request = \$40,000 cost for first year

Annually thereafter: 17 additional good cause waiver requests filed X \$80 per waiver request = \$1,360 cost annually thereafter

**IV. ASSUMPTIONS**

Based on information obtained from the in-home services and home health industries, we estimate that during the first year of implementation of the amended rule, approximately 500 good cause waiver requests would be submitted due to the new requirements. The vast majority of these would be for existing employees requesting waivers of inclusion on listings in the Family Care Safety Registry.

The Good Cause Waiver program has received 77 requests for waiver since the program began on March 30, 1999 (approximately 4 ½ years ago). This is an average of 17 requests a year. The assumption is made that implementation of this rule amendment would increase the average number of waiver requests submitted each year by 100 percent, or 17 additional requests a year.

The \$80 estimated cost per waiver request is based on information from the in-home services and home health industries. They estimate that an in-home services provider or home health agency provider will spend approximately two (2) hours on each good cause waiver request and will have other expenses associated with each application, such as obtaining court and Department of Social Services documents.



**T**his section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

**T**he agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety (90)-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

## Title 2—DEPARTMENT OF AGRICULTURE Division 30—Animal Health Chapter 9—Animal Care Facilities

### ORDER OF RULEMAKING

By the authority vested in the director of agriculture under sections 273.344 and 273.346, RSMo 2000, the director withdraws a rule as follows:

**2 CSR 30-9.030** Animal Care Facilities Minimum Standards of Operation and Transportation is **withdrawn**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 16, 2003 (28 MoReg 1086-1088). This proposed amendment is withdrawn.

**SUMMARY OF COMMENTS:** Two (2) comments were received on the proposed changes. With both comments having similar opposition to the proposed changes, one (1) response follows this group of two (2) comments.

**COMMENT:** While the rule should be more compatible with current USDA regulations regarding tethering, the proposed deletion of the entire provision does not satisfactorily accomplish the goal.

**COMMENT:** Deletion of this section is not enough to be compatible with USDA regulations. To be compatible with current USDA regulations the section should be replaced by USDA 3.6 Primary Enclosures.

**RESPONSE:** In reviewing the comments, this agency has decided to withdraw the proposed change to 2 CSR 30-9.030(1)(F)3.A.(IV)(a)-(b).

## Title 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 1—Wildlife Code: Organization

### ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-1.010** Organization and Methods of Operation is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 2, 2003 (28 MoReg 1483). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

## Title 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 11—Wildlife Code: Special Regulations for Department Areas

### ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-11.182 is amended.

This amendment establishes hunting seasons and limits and is excepted by section 536.021, RSMo from the requirement for filing as a proposed amendment.

The Department of Conservation amended 3 CSR 10-11.182 by establishing seasons and limits for deer on Wig Wam Access, Morgan County.

### **3 CSR 10-11.182** Deer Hunting

**PURPOSE:** This amendment establishes provisions for deer hunting on Wig Wam Access in Morgan County to archery methods only.

(2) Deer may be hunted, under statewide seasons and limits, only by archery methods on the following department areas:

(BBBBB) Wig Wam Access  
(CCCCC) Wolf Bayou Conservation Area  
(DDDDD) Yellow Creek Conservation Area  
(EEEE) Young Conservation Area

**SUMMARY OF COMMENTS:** Seasons and limits are excepted from the requirement of filing as a proposed amendment under section 536.021, RSMo.

Amended: Filed October 9, 2003, effective **October 19, 2003**.

## Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 115—State Committee of Dietitians Chapter 1—General Rules



## ORDER OF RULEMAKING

By the authority vested in the State Committee of Dietitians under sections 334.212.4, RSMo Supp. 2003 and 324.228, RSMo 2000, the board amends a rule as follows:

### **4 CSR 115-1.040 Fees is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2003 (28 MoReg 1280). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

## **Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

### **Division 150—State Board of Registration for the Healing Arts Chapter 3—Licensing of Physical Therapists and Physical Therapist Assistants**

## ORDER OF RULEMAKING

By the authority vested in the State Board of Registration for the Healing Arts under sections 334.090.1, 334.090.2, 334.125, 334.507, 334.540, 334.550, 334.560 and 334.580, RSMo 2000, the board amends a rule as follows:

### **4 CSR 150-3.080 Fees is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2003 (28 MoReg 1282–1283). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

## **Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

### **Division 150—State Board of Registration for the Healing Arts Chapter 3—Licensing of Physical Therapists and Physical Therapist Assistants**

## ORDER OF RULEMAKING

By the authority vested in the State Board of Registration for the Healing Arts under sections 334.125, 334.655, 334.660 and 334.670, RSMo 2000, the board amends a rule as follows:

### **4 CSR 150-3.170 Physical Therapist Assistant Licensure Fees is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2003 (28 MoReg 1284–1285). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

## **Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

### **Division 200—State Board of Nursing Chapter 4—General Rules**

## ORDER OF RULEMAKING

By the authority vested in the State Board of Nursing under section 335.036, RSMo 2000, the board amends a rule as follows:

### **4 CSR 200-4.021 Graduate Temporary Permit is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2003 (28 MoReg 1286). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

## **Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

### **Division 200—State Board of Nursing Chapter 4—General Rules**

## ORDER OF RULEMAKING

By the authority vested in the State Board of Nursing under section 335.016(2), RSMo Supp. 2003 and 335.036, RSMo 2000, the board amends a rule as follows:

### **4 CSR 200-4.100 Advanced Practice Nurse is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2003 (28 MoReg 1286). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

## **Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

### **Division 231—Division of Professional Registration Chapter 2—Designation of License Renewal Dates and Related Information**

## ORDER OF RULEMAKING

By the authority vested in the Division of Professional Registration under section 620.010.14(2), RSMo Supp. 2003, the board amends a rule as follows:

### **4 CSR 231-2.010 Designation of License Renewal Dates and Related Renewal Information is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2003 (28 MoReg 1286–1287). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND  
SECONDARY EDUCATION  
Division 30—Division of Administrative and Financial  
Services  
Chapter 261—Pupil Transportation**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Education under sections 161.092, RSMo Supp. 2003, and 163.161 and 304.060, RSMo 2000, the board amends a rule as follows:

**5 CSR 30-261.010** Requirements for the Operation of School Buses **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2003 (28 MoReg 1180–1181). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND  
SECONDARY EDUCATION  
Division 60—Vocational and Adult Education  
Chapter 120—Vocational Education**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Education under section 178.430, RSMo 2000, the board withdraws a proposed rescission as follows:

**5 CSR 60-120.020** Implementation of Vocational Education Programs **is withdrawn.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 1, 2003 (28 MoReg 1181–1182). This proposed rescission is withdrawn.

SUMMARY OF COMMENTS: The State Board of Education received a number of comments opposing the proposed rescission. RESPONSE: The State Board of Education has carefully reviewed the comments and would note that there was a misunderstanding as to why the *Handbook* was being rescinded but will withdraw the proposed rescission at this time.

**Title 5—DEPARTMENT OF ELEMENTARY AND  
SECONDARY EDUCATION  
Division 60—Vocational and Adult Education  
Chapter 900—Veterans' Education**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Education under sections 161.092, RSMo Supp. 2003 and 161.172, 178.430, 178.530, 178.590 and 178.610, RSMo 2000, the board amends a rule as follows:

**5 CSR 60-900.050** Standards for the Approval of Courses for the Education of Persons Under Veterans' Education and Vocational Rehabilitation **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 16, 2003 (28 MoReg 1093–1094). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION  
Division 10—Missouri Highways and Transportation  
Commission  
Chapter 3—Utility and Private Line Location and  
Relocation**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 227.240, RSMo 2000, the commission rescinds a rule as follows:

**7 CSR 10-3.040** Division of Relocation Costs **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 1, 2003 (28 MoReg 1182). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION  
Division 10—Missouri Highways and Transportation  
Commission  
Chapter 25—Motor Carrier Operations**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.008 and 622.555, RSMo Supp. 2003, the commission adopts a rule as follows:

**7 CSR 10-25.010** Skill Performance Evaluation Certificates For Commercial Drivers **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 1, 2003 (28 MoReg 1182–1188). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 9—DEPARTMENT OF MENTAL HEALTH  
Division 10—Director, Department of Mental Health  
Chapter 5—General Program Procedures**

**ORDER OF RULEMAKING**

By the authority vested in the Department of Mental Health under section 630.050, RSMo Supp. 2003, the department amends a rule as follows:

**9 CSR 10-5.200** is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 16, 2003 (28 MoReg 1094-1095). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

#### SUMMARY OF COMMENTS:

COMMENT: One (1) comment suggested that, in the phrase "misuse funds/property," the department should insert the word "of" after the word "misuse" each time this occurs in the proposed amendment.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees with the comment and has revised the amendment accordingly, specifically in the following places: the title of the rule, the Purpose, subsections (1)(D), (2)(A), (3)(C), section (6), subsections (6)(C) and (6)(D), and sections (7), (9) and (11).

COMMENT AND RESPONSE AND EXPLANATION OF CHANGE: Even though no specific comment was received during the comment period, the department is revising section (11) of the proposed amendment to incorporate a statutory change. On July 1, 2003, the governor signed SB 184. Among the provisions of this bill is authorization for the department to grant an exception to a person who is disqualified from employment due to substantiation of abuse, neglect or misuse of client funds. Accordingly the department is revising the rule to provide for the exception option.

#### **9 CSR 10-5.200 Report of Complaints of Abuse, Neglect and Misuse of Funds/Property**

*PURPOSE: This rule prescribes procedures for reporting and investigating complaints of abuse, neglect and misuse of funds/property in a residential facility, day program or specialized service that is licensed, certified or funded by the Department of Mental Health (department) as required by sections 630.135, 630.168, 630.655 and 630.710, RSMo. The rule also sets forth due process procedures for persons who have been accused of abuse, neglect and misuse of funds/property.*

(1) The following words and terms, as used in this rule, mean:

(D) Misuse of funds/property, the misappropriation or conversion of a consumer's funds or property by an employee for another person's benefit;

(2) This section applies to any employee or consumer of any residential facility, day program or specialized service, as defined under section 630.005, RSMo. Facilities, programs and services that are operated by the department are regulated by the department's operating regulations and are not included in this definition.

(A) Any such employee who has reasonable cause to believe that a consumer has been subjected to physical abuse, sexual abuse, misuse of funds/property, class I neglect, class II neglect or verbal abuse while under the care of a residential facility, day program or specialized service that is licensed, certified or funded by the department shall immediately make a verbal or written complaint.

(3) The head of the facility, day program or specialized service that is licensed, certified or funded by the department shall immediately report to the local law enforcement official any alleged or suspected—

(C) Abuse, neglect or misuse of funds/property which may result in a criminal charge.

(6) Within ten (10) working days of receiving the final report from the board of inquiry, local investigator or central investigative unit, if there is a preliminary determination of abuse, neglect or misuse of funds/property, the head of the supervising facility or department designee shall send to the alleged perpetrator a summary of the allegations and findings which are the basis for the alleged abuse/neglect/misuse of funds or property; the provider will be

copied. The summary shall comply with the constraints regarding confidentiality contained in section 630.167, RSMo and shall be sent by regular and certified mail.

(C) Within ten (10) working days of the meeting, or if no request for a meeting is received within ten (10) working days of the alleged perpetrator's receipt of the summary, the head of the supervising facility or department designee shall make a final determination as to whether abuse/neglect/misuse of funds or property took place. The perpetrator shall be notified of this decision by regular and certified mail; the provider will be copied.

(D) The letter shall advise the perpetrator that they have ten (10) working days following receipt of the letter to contact the department's hearings administrator if they wish to appeal a finding of abuse, neglect or misuse of funds/property.

(7) If an appeal is requested, the hearings administrator shall schedule the hearing to take place within thirty (30) working days of the request, but may delay the hearing for good cause shown. At the hearing, the head of the supervising facility or designee, or other department designee shall present evidence supporting its findings of abuse, neglect, misuse of funds/property, or all. The provider or perpetrator may submit comments or present evidence to show why the decision of the head of the supervising facility or department designee should be modified or overruled. The hearings administrator may obtain additional information from department employees as s/he deems necessary.

(9) The opportunities described in sections (6), (7) and (8) of this rule regarding a meeting with the head of the supervising facility and an appeal before the department's hearings administrator apply also to providers and alleged perpetrators in an investigation of misuse of funds/property.

(11) If the department substantiates that a person has perpetrated physical abuse, sexual abuse, class I neglect, or misuse of funds/property, the perpetrator shall not be employed by the department, nor be licensed, employed or provide services by contract or agreement at a residential facility, day program or specialized service that is licensed, certified or funded by the department. The perpetrator's name shall be placed on the department Disqualification Registry pursuant to section 630.170, RSMo. Persons who have been disqualified from employment may request an exception by using the procedures described in 9 CSR 10-5.210 Exception Committee Procedures.

(14) No director, supervisor or employee of a residential facility, day program or specialized service shall evict, harass, dismiss or retaliate against a consumer or employee because he or she or any member of his or her family has made a report of any violation or suspected violation of consumer abuse, neglect or misuse of funds/property. Penalties for retaliation may be imposed up to and including cancellation of agency contracts and/or dismissal of such person.

#### **Title 9—DEPARTMENT OF MENTAL HEALTH Division 25—Fiscal Management Chapter 2—Purchase of Service Contracting**

#### **ORDER OF RULEMAKING**

By the authority vested in the Department of Mental Health under sections 34.100, and 630.405, RSMo Supp. 2003, the department amends a rule as follows:

#### **9 CSR 25-2.005 Definitions is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1371-1372). No changes have been made in the text



of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 9—DEPARTMENT OF MENTAL HEALTH  
Division 25—Fiscal Management  
Chapter 2—Purchase of Service Contracting**

**ORDER OF RULEMAKING**

By the authority vested in the Department of Mental Health under sections 34.100 and 630.405, RSMo Supp. 2003, the department amends a rule as follows:

**9 CSR 25-2.105 Purchasing Client Services is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1372–1373). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 9—DEPARTMENT OF MENTAL HEALTH  
Division 25—Fiscal Management  
Chapter 2—Purchase of Service Contracting**

**ORDER OF RULEMAKING**

By the authority vested in the Department of Mental Health under sections 34.100, 630.050 and 630.405, RSMo Supp. 2003, the department rescinds a rule as follows:

**9 CSR 25-2.205 Request for Proposal Development is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1373). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 9—DEPARTMENT OF MENTAL HEALTH  
Division 25—Fiscal Management  
Chapter 2—Purchase of Service Contracting**

**ORDER OF RULEMAKING**

By the authority vested in the Department of Mental Health under sections 34.100, 630.050 and 630.405, RSMo Supp. 2003, the department amends a rule as follows:

**9 CSR 25-2.305 Request for Proposal Solicitation Procedures is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1373–1375). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This pro-

posed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 9—DEPARTMENT OF MENTAL HEALTH  
Division 25—Fiscal Management  
Chapter 2—Purchase of Service Contracting**

**ORDER OF RULEMAKING**

By the authority vested in the Department of Mental Health under sections 34.100, 630.050 and 630.405, RSMo Supp. 2003, the department amends a rule as follows:

**9 CSR 25-2.405 RFP Evaluation and Award is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1375–1376). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 9—DEPARTMENT OF MENTAL HEALTH  
Division 30—Certification Standards  
Chapter 3—Alcohol and Drug Abuse Programs**

**ORDER OF RULEMAKING**

By the authority vested in the director of the Department of Mental Health under sections 630.655 and 631.102, RSMo 2000, the director amends a rule as follows:

**9 CSR 30-3.132 Opioid Treatment Program is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1376–1377). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE  
Division 10—Director of Revenue  
Chapter 3—State Sales Tax**

**ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

**12 CSR 10-3.036 Sales Made by Employers to Employees is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1381). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.



SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE  
Division 10—Director of Revenue  
Chapter 3—State Sales Tax**

**ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

**12 CSR 10-3.046 Caterers and Mandatory Gratuities  
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1381). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE  
Division 10—Director of Revenue  
Chapter 3—State Sales Tax**

**ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

**12 CSR 10-3.120 Food Stamps and W.I.C. (Women, Infants and  
Children) Vouchers is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1381-1382). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE  
Division 10—Director of Revenue  
Chapter 3—State Sales Tax**

**ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

**12 CSR 10-3.176 Fees Paid in or to Places of Amusement,  
Entertainment or Recreation is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1382). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE  
Division 10—Director of Revenue  
Chapter 3—State Sales Tax**

**ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

**12 CSR 10-3.486 Confidential Nature of Tax Data is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1382). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE  
Division 10—Director of Revenue  
Chapter 3—State Sales Tax**

**ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

**12 CSR 10-3.836 Payment of Filing Fees for Lien Releases is  
rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1382). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE  
Division 10—Director of Revenue  
Chapter 3—State Sales Tax**

**ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

**12 CSR 10-3.838 Payment of Filing Fees for Tax Liens is  
rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1382-1383). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE  
Division 10—Director of Revenue  
Chapter 23—Motor Vehicle**

**ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 301.030, RSMo Supp. 2003, the director amends a rule as follows:

**12 CSR 10-23.300** Use of Local Commercial Motor Vehicle License Plates for Farm or for Farming Transportation Operations **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1383-1384). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE  
Division 10—Director of Revenue  
Chapter 23—Motor Vehicle**

**ORDER OF RULEMAKING**

By the authority vested in the director of revenue under sections 301.055 and 301.080, RSMo 2000, the director amends a rule as follows:

**12 CSR 10-23.330** Registration of Motorcycles or Motortricycles **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1384). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE  
Division 10—Director of Revenue  
Chapter 23—Motor Vehicle**

**ORDER OF RULEMAKING**

By the authority vested in the director of revenue under sections 301.010, 301.190 and 301.200, RSMo 2000, the director amends a rule as follows:

**12 CSR 10-23.370** Issuance of Certificates of Title to Recreational Vehicles Manufactured by Two Separate Manufacturers **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1384). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE  
Division 10—Director of Revenue  
Chapter 23—Motor Vehicle**

**ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 407.536.8, RSMo 2000, the director amends a rule as follows:

**12 CSR 10-23.420** Secure Power of Attorney Requirements **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1384-1385). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE  
Division 10—Director of Revenue  
Chapter 23—Motor Vehicle**

**ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 301.190, 301.700 and 700.320, RSMo 2000, the director rescinds a rule as follows:

**12 CSR 10-23.436** Application For Title **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1385). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE  
Division 10—Director of Revenue  
Chapter 23—Motor Vehicle**

**ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 301.131, RSMo 2000, the director rescinds a rule as follows:

**12 CSR 10-23.444** Historic Vehicle License **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1385-1386). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE  
Division 10—Director of Revenue  
Chapter 23—Motor Vehicle**

**ORDER OF RULEMAKING**

By the authority vested in the director of revenue under sections 301.640, 306.410, 306.420 and 700.370, RSMo Supp. 2003, the director adopts a rule as follows:

**12 CSR 10-23.458 Documents Accepted as a Release of Lien is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1386). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE  
Division 10—Director of Revenue  
Chapter 24—Drivers License Bureau Rules**

**ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 302.272, RSMo 2000, the director amends a rule as follows:

**12 CSR 10-24.385 School Bus Permits is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1386). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE  
Division 10—Director of Revenue  
Chapter 24—Drivers License Bureau Rules**

**ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 302.720, RSMo Supp. 2003, the director amends a rule as follows:

**12 CSR 10-24.390 Commercial Driver Instruction Permit is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1386–1387). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE  
Division 10—Director of Revenue  
Chapter 26—Dealer Licensure**

**ORDER OF RULEMAKING**

By the authority vested in the director of revenue under sections 32.057 and 301.280, RSMo 2000 and 301.560.1, RSMo Supp. 2003, the director amends a rule as follows:

**12 CSR 10-26.190 Dealers' Monthly Reports is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1383). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH  
AND SENIOR SERVICES  
Division 10—Office of the Director  
Chapter 33—Hospital and Ambulatory Surgical Center  
Data Disclosure**

**ORDER OF RULEMAKING**

By the authority vested in the director of the Department of Health and Senior Services under sections 192.020, 192.067 and 192.667, RSMo 2000, the department adopts a rule as follows:

**19 CSR 10-33.040 is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 15, 2003 (28 MoReg 1287–1291). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: Comments were received from fifty (50) hospitals and the Missouri Hospital Association (MHA).

COMMENT: Hospitals and MHA commented that we should implement the regulations in phases and the first phase should be to test the proposed surveillance system through a pilot project with volunteer hospitals. The regulation should not be imposed on all hospitals in the initial phase. After a reasonable test an independent reviewer should evaluate the test phase.

RESPONSE AND EXPLANATION OF CHANGE: The rule has been changed to include a pilot phase with volunteer hospitals as recommended by the commenters. The implementation date has been delayed until after the pilot is completed as recommended. We will ask the department's Advisory Committee on Communicable Diseases and Bioterrorism Response to review the findings of the pilot project.

COMMENT: Hospitals and MHA suggested that hospitals not participating in the pilot project should be exempt from the requirement to file an implementation plan until after the regulations have been updated to reflect the lessons learned during the pilot project phase.

RESPONSE AND EXPLANATION OF CHANGE: The date required for the submission of an implementation plan has been changed from October 1, 2003 to November 1, 2003. The implementation plan is very simple in format and will not require much time to complete. It is important to the department to have basic information on the hospitals for our planning purposes. Therefore, the plan will be required as of November 1, 2003. We have amended the rule to allow for an extension of the implementation date if the results of the pilot indicate that changes need to be made.

COMMENT: Hospitals and MHA suggested that hospitals should be compensated for the costs associated with implementing the regulations.

RESPONSE: The department has placed in the Health Resources Services Administration bioterrorism grant funding to compensate hospitals for the cost of implementing the regulation.

COMMENT: Hospitals and MHA suggested that we should create an alternative process for small rural hospitals, rehabilitative hospitals, psychiatric and post-acute care hospitals.

RESPONSE AND EXPLANATION OF CHANGE: The rule has been changed to exclude a hospital in a rural area as defined in section 191.500, RSMo; a hospital designated by the Health Resources Services Administration as a small rural hospital, a hospital licensed as a psychiatric or a rehabilitative hospital; or a hospital without an emergency room. The department has determined that it may review the need to expand this definition to include hospitals in a rural area or otherwise designated as a small rural hospital after the completion of implementation of the plans submitted to and approved by the department under section (4) of this rule. Presently the department has an alternative manual process for collecting syndromic data. Hospitals had expressed concern about the labor intensiveness of the present data collection process. The original rule was developed to address the concerns raised by hospitals. Hospitals that are excluded from this rule will be allowed to participate in the voluntary manual system already in place.

COMMENT: MHA recommended that the DHSS should establish an advisory board to advise the department on syndromic surveillance.

RESPONSE: The department has an Advisory Committee on Communicable Diseases and Bioterrorism Response that is made up of experts in communicable diseases. We will use this committee to advise the department on the syndromic surveillance system.

COMMENT: Barnes Jewish Christian (BJC) Health Care made several additional comments. They commented that there needed to be a specific analysis and intervention plan. They also commented that the Natural Language Processor the department plans to use has not been validated. In addition, they were concerned about the amount of work that might be generated from the notifications.

RESPONSE: Since the comments were received the department has had two (2) meetings with BJC. BJC and the department will be working together to address the issues raised by BJC. The department validated the Natural Language Processor and found it can translate the chief complaint to an ICD code at a very high rate. The department will work with BJC and other hospitals to ensure that the system does not create a high number of notifications that would overload both the hospitals and the department.

COMMENT: Mineral Area Regional Medical Center commented that they did not collect the data in the rule and it would impact them significantly to collect the data. They also indicated the rule will create an impact to comply with HIPAA.

RESPONSE: The data elements that the hospital cited are voluntary and are not mandated by the rule. The hospital already has to comply with HIPAA record keeping for submitting patient abstract data to the department. This rule should not add substantially to what a hospital is already doing to comply with HIPAA.

COMMENT: Shriners Hospital commented that they felt it was inappropriate for them to submit data because of the nature of the patients they treat.

RESPONSE AND EXPLANATION OF CHANGE: Under the amended rule Shriners will not have to report the data.

#### **19 CSR 10-33.040 Electronic Reporting of Patient Abstract Data by Hospitals for Public Health Syndromic Surveillance**

(1) The following definitions shall be used in the interpretation of this rule in addition to the definitions found in 19 CSR 10-33.010:

(I) Hospital means a hospital as defined in section 197.020, RSMo. For the purposes of this rule only, hospital shall not include a hospital in a rural area as defined in section 191.500, RSMo; a hospital designated by the Health Resources Services Administration as

a small rural hospital; a hospital licensed as a psychiatric or a rehabilitative hospital; or a hospital without an emergency room. Following the completion of implementation of plans submitted to and approved by the department pursuant to section (4), the department may review the need to expand this definition to include hospitals in a rural area as defined in section 191.500, RSMo or hospitals designated by the Health Resources Services Administration as a small rural hospital.

(2) All hospitals shall submit to the department a minimum data set on acute care hospital encounters occurring after the date proposed by the hospital and approved by the department. This date shall be either between April 2004 and January 2007 or an earlier date agreed upon by the hospital and the department. Before April 2004, the department shall conduct a pilot study with hospitals that volunteer to participate in the pilot study. At the sole discretion of the department, the pilot study may be extended. If the pilot study is continued, the department shall inform hospitals that their planned implementation date has been postponed to a new date as determined by the department. The data shall be submitted as a default standard electronic message or other format as agreed upon by the hospital and the department, using secure message transport protocols and data encryption.

(4) Every hospital shall submit to the department by November 1, 2003 a plan that specifies how and when they will submit data to the department in compliance with section (2) of this rule. This plan may be revised by the hospital, with the approval of the department, in the event the hospital's capacity to report electronic messages changes to support the default standard electronic message as either batch or real time messages. The hospital shall notify the department by sixty (60) days in advance of the date they plan to change the method in which they report data. This plan shall include but not be limited to:

*REVISED PUBLIC COST: This rule is estimated to cost state agencies and political subdivisions two hundred twelve thousand fifteen dollars (\$212,015) initial hospital costs versus two hundred twenty thousand eight hundred dollars (\$220,800), which we submitted in the original estimate.*

*REVISED PRIVATE COST: This rule is estimated to cost private entities three hundred eighty-four thousand dollars (\$384,000) initial hospital costs versus six hundred thirty-eight thousand four hundred dollars (\$638,400), which we submitted in the original estimate. This rule is also estimated to cost private entities one hundred forty-four thousand dollars (\$144,000) for each subsequent year versus two hundred thirty-nine thousand four hundred dollars (\$239,400), which we submitted in the original estimate. Federal bioterrorism funds will be available to the hospitals for this cost.*



## FISCAL NOTE

### REVISED PUBLIC COST

#### I. RULE NUMBER

Rule Number and Name:	19 CSR 10-33.040 Electronic Reporting of Patient Abstract Data by Hospitals for Public Health Syndromic Surveillance
Type of Rulemaking:	Final Order for a Proposed Rule – With Changes

#### II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate:
Department of Health and Senior Services	\$212,015 first year \$10,800 per year each subsequent year

#### II. WORKSHEET

1. 87 hours x \$45/hour = **\$3,915**
2. 1,500 hours x \$45/hour = **\$67,500**
3. Cost of software and hardware to receive and parse messages = **\$110,000**
4. 20 hours/month x \$45/hour x 12 months/year = **\$10,800** per year
5. 200 hours x \$45 /hour = **\$9,000**
6. 80 hospitals x 3 hours/hospital x \$45 /hour = **\$10,800**
7. Aggregate = **\$212,015** first year  
**\$10,800** each subsequent year

#### IV. ASSUMPTIONS

1. One man-hour will be required to review each hospital's plan and document deficiencies. (2 people, 0.5 hours each) and 7 hours administrative time to respond to plans.
2. It will take approximately 1,500 man-hours to write the interfaces and develop code to receive, parse, and audit the messages/files received from hospitals.
3. Hardware and software to support receipt and parsing of messages.
4. 20 man-hours per month will be required to maintain and/or troubleshoot the interface once developed.
5. 200 man-hours will be required to troubleshoot, test, and modify interfaces during initial startup of messaging.
6. 3 hours per hospital for consultation and technical assistance developing messages

**FISCAL NOTE****REVISED PRIVATE COST****I. RULE NUMBER**

Rule Number and Name:	19 CSR 10-33.040 Electronic Reporting of Patient Abstract Data by Hospitals for Public Health Syndromic Surveillance
Type of Rulemaking:	Final Order for a Proposed Rule – With Changes

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule;	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
80	Eligible Hospitals	\$384,000 first year \$144,000 subsequent years

**II. WORKSHEET**

1. 80 hospitals x (40 hours/hospital x 75 dollars/hour) =  
80 x \$3,000/hospital = **\$240,000**
2. 80 hospitals x ((2 hours/month x 75 dollars/hour) x 12 months/year) =  
80 hospitals x (\$150/month) x 12 months/year =  
80 hospitals x \$1,800 /hospital/year = **\$144,000 / year**
3. Aggregate = \$240,000 + 144,000 = **\$384,000** first year.  
**\$144,000** each subsequent year

**IV. ASSUMPTIONS**

1. Based upon a capacity survey of Missouri hospitals, the mean time estimated to develop a compliant message was 40 hours.
2. We assumed 2 hours per month to deliver and maintain the message delivery infrastructure (ongoing costs).
3. We assumed \$75 per hour as a reasonable rate for estimation.

**T**his section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs and other items required to be published in the *Missouri Register* by law.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 100—Division of Credit Unions**

**ACTIONS TAKEN ON  
APPLICATIONS FOR NEW GROUPS OR  
GEOGRAPHIC AREAS**

Pursuant to section 370.081(4), RSMo 2000, the director of the Missouri Division of Credit Unions is required to cause notice to be published that the director has either granted or rejected applications from the following credit unions to add new groups or geographic areas to their membership and state the reasons for taking these actions.

The following applications have been granted. These credit unions have met the criteria applied to determine if additional groups may be included in the membership of an existing credit union and have the immediate ability to serve the proposed new groups or geographic areas. The proposed new groups or geographic areas meet the requirements established pursuant to 370.080(2), RSMo 2000.

Credit Union	Proposed New Group or Geographic Area
Southeast Telephone Employees Credit Union 312 West Main Park Hills, MO 63601	Person who live or are employed in the Missouri County of St. Francois.

**Title 19—DEPARTMENT OF HEALTH  
AND SENIOR SERVICES  
Division 60—Missouri Health Facilities  
Review Committee  
Chapter 50—Certificate of Need Program**

**EXPEDITED APPLICATION REVIEW SCHEDULE**

The Missouri Health Facilities Review Committee has initiated review of the applications listed below. A decision is tentatively scheduled for November 24, 2003. These applications are available for public inspection at the address shown below:

**Date Filed**

**Project Number:** Project Name  
City (County)  
Cost, Description

**10/07/03**

**#3545 NP:** The Villas  
De Soto (Jefferson County)  
\$215,274, Long-term bed expansion of 16 skilled nursing  
facility beds

**10/08/03**

**#3516 RP:** Parkwood Meadows  
Ste. Genevieve (Ste. Genevieve County)  
\$1, LTC bed expansion of 16 RCF II beds

**10/10/03**

**#3546 HS:** Hannibal Regional Hospital  
Hannibal (Marion County)  
\$1,946,596, Replace magnetic resonance imager

**10/10/03**

**#3547 HS:** St. Louis Children's Hospital  
St. Louis (St. Louis City)  
\$3,190,000, Replace magnetic resonance imager

Any person wishing to request a public hearing for the purpose of commenting on any of these applications must submit a written request to this effect, which must be received by November 13, 2003. All written requests and comments should be sent to:

Chairman  
Missouri Health Facilities Review Committee  
c/o Certificate of Need Program  
915 G Leslie Boulevard  
Jefferson City, MO 65101

For additional information contact  
Donna Schuessler, 573-751-6403.

**T**he Secretary of State is required by sections 347.141 and 359.481, RSMo 2000 to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript.

**NOTICE OF DISSOLUTION TO ALL CREDITORS AND CLAIMANTS  
AGAINST  
MIDQUIP, L.L.C.**

You are hereby notified that On July 1, 2003, MidQuip, L.L.C., a Missouri limited liability company, agreed to dissolve and filed its Notice of Winding Up with the Missouri Secretary of State.

All persons and organizations with claims against MidQuip, L.L.C., must present them to MidQuip, L.L.C., c/o of Shughart Thomson & Kilroy Watkins Boulware, P.C., 3101 Frederick Avenue, St. Joseph, Missouri, 64506. All claims must include the name, address, and telephone number of the claimant; the amount claimed; the basis of the claim; documentation of the claim; and the date the claim arose. Any claim against MidQuip, L.L.C., will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.



## Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—26 (2001), 27 (2002) and 28 (2003). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
<b>OFFICE OF ADMINISTRATION</b>					
1 CSR 10	State Officials' Salary Compensation Schedule				27 MoReg 189 27 MoReg 1724 28 MoReg 1861
1 CSR 10-4.010	Commissioner of Administration		28 MoReg 1557		
1 CSR 10-18.010	Commissioner of Administration	28 MoReg 1615	28 MoReg 1482		
1 CSR 15-3.320	Administrative Hearing Commission		28 MoReg 1266	28 MoReg 1841	
1 CSR 15-3.350	Administrative Hearing Commission		28 MoReg 1266	28 MoReg 1841	
1 CSR 20-2.015	Personnel Advisory Board and Division of Personnel		28 MoReg 1560		
1 CSR 20-3.070	Personnel Advisory Board and Division of Personnel		28 MoReg 1560		
1 CSR 20-5.020	Personnel Advisory Board and Division of Personnel		28 MoReg 1561		
1 CSR 35-1.050	Division of Facilities Management	This Issue	This Issue		
1 CSR 35-2.030	Division of Facilities Management	This Issue	This Issue		
<b>DEPARTMENT OF AGRICULTURE</b>					
2 CSR 30-2.040	Animal Health		28 MoReg 711		
2 CSR 30-9.020	Animal Health		28 MoReg 1085	28 MoReg 1938	
2 CSR 30-9.030	Animal Health		28 MoReg 1086	This IssueW	
2 CSR 70-13.030	Plant Industries	28 MoReg 1553	28 MoReg 1561		
2 CSR 100-6.010	Missouri Agriculture and Small Business Development Authority		28 MoReg 1762		
<b>DEPARTMENT OF CONSERVATION</b>					
3 CSR 10-1.010	Conservation Commission		28 MoReg 1483	This Issue	
3 CSR 10-4.110	Conservation Commission		This Issue		
3 CSR 10-5.205	Conservation Commission		This Issue		
3 CSR 10-5.215	Conservation Commission		This Issue		
3 CSR 10-5.310	Conservation Commission		This Issue		
3 CSR 10-5.320	Conservation Commission		This Issue		
3 CSR 10-5.330	Conservation Commission		This Issue		
3 CSR 10-5.340	Conservation Commission		This Issue		
3 CSR 10-5.345	Conservation Commission		This Issue		
3 CSR 10-5.352	Conservation Commission		28 MoReg 1267	28 MoReg 1718	
3 CSR 10-5.365	Conservation Commission		This Issue		
3 CSR 10-5.375	Conservation Commission		This Issue		
3 CSR 10-5.420	Conservation Commission		This Issue		
3 CSR 10-5.440	Conservation Commission		This Issue		
3 CSR 10-5.445	Conservation Commission		This Issue		
3 CSR 10-5.470	Conservation Commission		This IssueR		
3 CSR 10-5.552	Conservation Commission		28 MoReg 1270	28 MoReg 1718	
3 CSR 10-5.553	Conservation Commission		28 MoReg 1273	28 MoReg 1718	
3 CSR 10-5.570	Conservation Commission		This Issue		
3 CSR 10-5.577	Conservation Commission		28 MoReg 1275	28 MoReg 1718	
3 CSR 10-5.578	Conservation Commission		28 MoReg 1277	28 MoReg 1719	
3 CSR 10-6.415	Conservation Commission		This Issue		
3 CSR 10-6.505	Conservation Commission		This Issue		
3 CSR 10-6.510	Conservation Commission		This Issue		
3 CSR 10-6.525	Conservation Commission		This Issue		
3 CSR 10-6.530	Conservation Commission		This Issue		
3 CSR 10-7.405	Conservation Commission		This Issue		
3 CSR 10-7.410	Conservation Commission		This Issue		
3 CSR 10-7.425	Conservation Commission		This Issue		
3 CSR 10-7.440	Conservation Commission		N.A.	28 MoReg 1841	
3 CSR 10-7.450	Conservation Commission		This Issue		
3 CSR 10-8.510	Conservation Commission		This Issue		
3 CSR 10-8.515	Conservation Commission		This Issue		
3 CSR 10-9.110	Conservation Commission		This Issue		
3 CSR 10-9.442	Conservation Commission		N.A.	28 MoReg 1843	
3 CSR 10-9.565	Conservation Commission		This Issue		
3 CSR 10-9.575	Conservation Commission		This Issue		
3 CSR 10-9.625	Conservation Commission		This Issue		
3 CSR 10-9.628	Conservation Commission		This Issue		
3 CSR 10-10.720	Conservation Commission		This Issue		
3 CSR 10-10.767	Conservation Commission		This Issue		
3 CSR 10-10.768	Conservation Commission		This Issue		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
3 CSR 10-11.180	Conservation Commission		This Issue		
3 CSR 10-11.182	Conservation Commission		28 MoReg 1279 N.A.	28 MoReg 1719 This Issue	
3 CSR 10-11.205	Conservation Commission		This Issue		
3 CSR 10-11.210	Conservation Commission		This Issue		
3 CSR 10-11.215	Conservation Commission		This Issue		
3 CSR 10-12.110	Conservation Commission		This Issue		
3 CSR 10-12.115	Conservation Commission		This Issue		
3 CSR 10-12.125	Conservation Commission		This Issue		
3 CSR 10-12.135	Conservation Commission		N.A. This Issue	28 MoReg 1719	
3 CSR 10-12.140	Conservation Commission		N.A. This Issue	28 MoReg 1719	
3 CSR 10-12.145	Conservation Commission		This Issue		
3 CSR 10-20.805	Conservation Commission		28 MoReg 1279 This Issue	28 MoReg 1720W	
<b>DEPARTMENT OF ECONOMIC DEVELOPMENT</b>					
4 CSR 30-3.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1483R		
4 CSR 30-3.030	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1483R		
4 CSR 30-3.040	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1484R		
4 CSR 30-3.050	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1484R		
4 CSR 30-3.060	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1484		
4 CSR 30-4.060	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1762R 28 MoReg 1763		
4 CSR 30-4.090	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1765		
4 CSR 30-5.140	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1767		
4 CSR 30-5.150	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1767		
4 CSR 30-6.015	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1769		
4 CSR 30-6.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1769		
4 CSR 60-1.040	State Board of Barber Examiners		28 MoReg 1487		
4 CSR 60-4.015	State Board of Barber Examiners		28 MoReg 1491		
4 CSR 70-1.010	State Board of Chiropractic Examiners		28 MoReg 1491R 28 MoReg 1492		
4 CSR 70-2.020	State Board of Chiropractic Examiners		28 MoReg 1492		
4 CSR 70-2.030	State Board of Chiropractic Examiners		28 MoReg 1492		
4 CSR 70-2.040	State Board of Chiropractic Examiners		28 MoReg 1492		
4 CSR 70-2.045	State Board of Chiropractic Examiners		28 MoReg 1495		
4 CSR 70-2.050	State Board of Chiropractic Examiners		28 MoReg 1495		
4 CSR 70-2.060	State Board of Chiropractic Examiners		28 MoReg 1496		
4 CSR 70-2.065	State Board of Chiropractic Examiners		28 MoReg 1499		
4 CSR 70-2.070	State Board of Chiropractic Examiners		28 MoReg 1499		
4 CSR 70-2.080	State Board of Chiropractic Examiners		28 MoReg 1500		
4 CSR 70-2.081	State Board of Chiropractic Examiners		28 MoReg 1501		
4 CSR 70-2.090	State Board of Chiropractic Examiners		28 MoReg 1502		
4 CSR 70-2.100	State Board of Chiropractic Examiners		28 MoReg 1505		
4 CSR 70-3.010	State Board of Chiropractic Examiners		28 MoReg 1506		
4 CSR 100	Division of Credit Unions				28 MoReg 1526 28 MoReg 1723 28 MoReg 1956 This Issue
4 CSR 100-2.080	Division of Credit Unions		28 MoReg 1279	28 MoReg 1939	
4 CSR 115-1.040	State Committee of Dietitians		28 MoReg 1280	This Issue	
4 CSR 150-2.080	State Board of Registration for the Healing Arts		28 MoReg 1507		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 150-3.080	State Board of Registration for the Healing Arts		28 MoReg 1282	This Issue	
4 CSR 150-3.170	State Board of Registration for the Healing Arts		28 MoReg 1284	This Issue	
4 CSR 200-4.021	State Board of Nursing		28 MoReg 1286	This Issue	
4 CSR 200-4.100	State Board of Nursing		28 MoReg 1286	This Issue	
4 CSR 220-5.020	State Board of Pharmacy		28 MoReg 1177		
4 CSR 231-2.010	Division of Professional Registration		28 MoReg 1286	This Issue	
4 CSR 232-3.010	Missouri State Committee of Interpreters		28 MoReg 1769		
4 CSR 240-3.155	Public Service Commission		28 MoReg 1507		
4 CSR 240-3.180	Public Service Commission		28 MoReg 1024	28 MoReg 1939	
4 CSR 240-3.190	Public Service Commission		This Issue		
4 CSR 240-3.250	Public Service Commission		28 MoReg 1028	28 MoReg 1940	
4 CSR 240-3.265	Public Service Commission		28 MoReg 1901		
4 CSR 240-3.440	Public Service Commission		28 MoReg 1906		
4 CSR 240-3.650	Public Service Commission		28 MoReg 1907		
4 CSR 240-18.010	Public Service Commission		This Issue		
4 CSR 240-32.180	Public Service Commission	28 MoReg 1891			
4 CSR 240-32.190	Public Service Commission	28 MoReg 1891			
4 CSR 240-40.018	Public Service Commission		28 MoReg 1032	28 MoReg 1941	
4 CSR 250-3.020	Missouri Real Estate Commission		28 MoReg 1770		
4 CSR 250-8.160	Missouri Real Estate Commission		28 MoReg 1770		
4 CSR 250-10.010	Missouri Real Estate Commission		28 MoReg 1770		
<b>DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION</b>					
5 CSR 30-261.010	Division of Administrative and Financial Services		28 MoReg 1180	This Issue	
5 CSR 50-310.010	Division of School Improvement		28 MoReg 1039R	28 MoReg 1720R	
5 CSR 50-340.110	Division of School Improvement		28 MoReg 1039	28 MoReg 1720	
5 CSR 50-340.200	Division of School Improvement		28 MoReg 1040	28 MoReg 1720	
5 CSR 50-350.015	Division of School Improvement		28 MoReg 1042R	28 MoReg 1721R	
5 CSR 50-360.010	Division of School Improvement		28 MoReg 1042R	28 MoReg 1721R	
5 CSR 50-370.010	Division of School Improvement		28 MoReg 1042R	28 MoReg 1721R	
5 CSR 60-120.020	Vocational and Adult Education		28 MoReg 1181	This IssueW	
5 CSR 60-900.050	Vocational and Adult Education		28 MoReg 1093	This Issue	
5 CSR 70-742.160	Special Education		28 MoReg 1042R	28 MoReg 1721R	
5 CSR 80-800.200	Teacher Quality and Urban Education		28 MoReg 1771		
5 CSR 80-800.220	Teacher Quality and Urban Education		28 MoReg 1774		
5 CSR 80-800.230	Teacher Quality and Urban Education		28 MoReg 1776		
5 CSR 80-800.260	Teacher Quality and Urban Education		28 MoReg 1779		
5 CSR 80-800.270	Teacher Quality and Urban Education		28 MoReg 1782		
5 CSR 80-800.280	Teacher Quality and Urban Education		28 MoReg 1784		
5 CSR 80-800.290	Teacher Quality and Urban Education		28 MoReg 1786		
5 CSR 80-800.300	Teacher Quality and Urban Education		28 MoReg 1786		
5 CSR 80-800.350	Teacher Quality and Urban Education		28 MoReg 1787		
5 CSR 80-800.360	Teacher Quality and Urban Education		28 MoReg 1790		
5 CSR 80-800.370	Teacher Quality and Urban Education		28 MoReg 1793		
5 CSR 80-800.380	Teacher Quality and Urban Education		28 MoReg 1796		
5 CSR 80-800.400	Teacher Quality and Urban Education		28 MoReg 1800		
5 CSR 90-7.010	Vocational Rehabilitation		28 MoReg 1800		
5 CSR 90-7.100	Vocational Rehabilitation		28 MoReg 1801		
5 CSR 90-7.200	Vocational Rehabilitation		28 MoReg 1801		
5 CSR 90-7.320	Vocational Rehabilitation		28 MoReg 1802		
5 CSR 100-200.045	Missouri Commission for the Deaf and Hard of Hearing	28 MoReg 1554	28 MoReg 1563		
<b>DEPARTMENT OF TRANSPORTATION</b>					
7 CSR 10-3.040	Missouri Highways and Transportation Commission	28 MoReg 1173R	28 MoReg 1182R	This IssueR	
7 CSR 10-6.010	Missouri Highways and Transportation Commission		28 MoReg 958	28 MoReg 1843	
7 CSR 10-6.015	Missouri Highways and Transportation Commission		28 MoReg 958	28 MoReg 1843	
7 CSR 10-6.020	Missouri Highways and Transportation Commission		28 MoReg 960	28 MoReg 1844	
7 CSR 10-6.030	Missouri Highways and Transportation Commission		28 MoReg 960	28 MoReg 1844	
7 CSR 10-6.040	Missouri Highways and Transportation Commission		28 MoReg 961	28 MoReg 1845	
7 CSR 10-6.050	Missouri Highways and Transportation Commission		28 MoReg 963	28 MoReg 1845	
7 CSR 10-6.060	Missouri Highways and Transportation Commission		28 MoReg 963	28 MoReg 1845	
7 CSR 10-6.070	Missouri Highways and Transportation Commission		28 MoReg 964	28 MoReg 1845	
7 CSR 10-6.080	Missouri Highways and Transportation Commission		28 MoReg 966	28 MoReg 1845	
7 CSR 10-6.085	Missouri Highways and Transportation Commission		28 MoReg 967	28 MoReg 1845	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
7 CSR 10-6.090	Missouri Highways and Transportation Commission		28 MoReg 968	28 MoReg 1846	
7 CSR 10-6.100	Missouri Highways and Transportation Commission		28 MoReg 968	28 MoReg 1846	
7 CSR 10-17.010	Missouri Highways and Transportation Commission		28 MoReg 1563		
7 CSR 10-25.010	Missouri Highways and Transportation Commission	28 MoReg 1173	28 MoReg 1182	This Issue	
<b>DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS</b>					
8 CSR 10-3.085	Division of Employment Security		28 MoReg 1661		
8 CSR 30-1.010	Division of Labor Standards		This Issue		
8 CSR 30-4.010	Division of Labor Standards		This Issue		
8 CSR 30-4.020	Division of Labor Standards		This Issue		
<b>DEPARTMENT OF MENTAL HEALTH</b>					
9 CSR 10-5.200	Director, Department of Mental Health		28 MoReg 1094	This Issue	
9 CSR 25-2.005	Fiscal Management		28 MoReg 1371	This Issue	
9 CSR 25-2.105	Fiscal Management		28 MoReg 1372	This Issue	
9 CSR 25-2.205	Fiscal Management		28 MoReg 1373R	This IssueR	
9 CSR 25-2.305	Fiscal Management		28 MoReg 1373	This Issue	
9 CSR 25-2.405	Fiscal Management		28 MoReg 1375	This Issue	
9 CSR 30-3.132	Certification Standards		28 MoReg 1376	This Issue	
9 CSR 30-3.206	Certification Standards		28 MoReg 1508		
9 CSR 30-3.208	Certification Standards		28 MoReg 1508		
9 CSR 45-5.105	Division of Mental Retardation and Developmental Disabilities		28 MoReg 1805		
9 CSR 45-5.110	Division of Mental Retardation and Developmental Disabilities		28 MoReg 1805		
9 CSR 45-5.130	Division of Mental Retardation and Developmental Disabilities		28 MoReg 1809		
9 CSR 45-5.140	Division of Mental Retardation and Developmental Disabilities		28 MoReg 1812		
9 CSR 45-5.150	Division of Mental Retardation and Developmental Disabilities		28 MoReg 1816		
<b>DEPARTMENT OF NATURAL RESOURCES</b>					
10 CSR 10-2.260	Air Conservation Commission		28 MoReg 1564		
10 CSR 10-6.110	Air Conservation Commission		28 MoReg 1095	28 MoReg 1944	
10 CSR 10-6.260	Air Conservation Commission		28 MoReg 1911		
10 CSR 20-6.010	Air Conservation Commission		28 MoReg 1106		
10 CSR 25-12.010	Hazardous Waste Management Commission		28 MoReg 874	28 MoReg 1954	
10 CSR 60-2.015	Public Drinking Water Program		28 MoReg 735	28 MoReg 1846	28 MoReg 1859
10 CSR 60-4.010	Public Drinking Water Program		28 MoReg 969		
10 CSR 60-4.020	Public Drinking Water Program		28 MoReg 736	28 MoReg 1846	
10 CSR 60-4.030	Public Drinking Water Program		28 MoReg 737	28 MoReg 1847	
10 CSR 60-4.040	Public Drinking Water Program		28 MoReg 739	28 MoReg 1847	
10 CSR 60-4.050	Public Drinking Water Program		28 MoReg 739	28 MoReg 1847	
10 CSR 60-4.055	Public Drinking Water Program		28 MoReg 744	28 MoReg 1848	
10 CSR 60-4.070	Public Drinking Water Program		28 MoReg 746	28 MoReg 1848	
10 CSR 60-4.090	Public Drinking Water Program		28 MoReg 747	28 MoReg 1848	
10 CSR 60-4.100	Public Drinking Water Program		28 MoReg 752	28 MoReg 1851	
10 CSR 60-5.010	Public Drinking Water Program		28 MoReg 973		
10 CSR 60-6.050	Public Drinking Water Program		28 MoReg 753	28 MoReg 1851	
10 CSR 60-7.010	Public Drinking Water Program		28 MoReg 753	28 MoReg 1851	
10 CSR 60-8.010	Public Drinking Water Program		28 MoReg 757R	28 MoReg 1851R	
			28 MoReg 757	28 MoReg 1852	
10 CSR 60-8.030	Public Drinking Water Program		28 MoReg 764	28 MoReg 1852	
10 CSR 60-9.010	Public Drinking Water Program		28 MoReg 776	28 MoReg 1857	
10 CSR 70-5.040	Soil and Water Districts Commission	28 MoReg 1369	28 MoReg 1916		
10 CSR 140-2.020	Division of Energy				28 MoReg 1526
10 CSR 140-2.030	Division of Energy				28 MoReg 1526
<b>DEPARTMENT OF PUBLIC SAFETY</b>					
11 CSR 10-5.010	Adjutant General	28 MoReg 1475	28 MoReg 1509		
11 CSR 45-4.260	Missouri Gaming Commission		28 MoReg 34		
11 CSR 45-9.030	Missouri Gaming Commission		28 MoReg 1106		
11 CSR 45-13.010	Missouri Gaming Commission		28 MoReg 1377		
11 CSR 45-13.020	Missouri Gaming Commission		28 MoReg 1377		
11 CSR 45-13.030	Missouri Gaming Commission		28 MoReg 1377		
11 CSR 45-13.045	Missouri Gaming Commission		28 MoReg 1378		
11 CSR 45-13.050	Missouri Gaming Commission		28 MoReg 1378		
11 CSR 45-13.051	Missouri Gaming Commission		28 MoReg 1379		
11 CSR 45-13.060	Missouri Gaming Commission		28 MoReg 1379		
11 CSR 45-13.070	Missouri Gaming Commission		28 MoReg 1380		
11 CSR 45-13.080	Missouri Gaming Commission		28 MoReg 1381		
11 CSR 45-30.540	Missouri Gaming Commission		28 MoReg 1110		
11 CSR 45-30.550	Missouri Gaming Commission		28 MoReg 1110		
11 CSR 50-2.010	Missouri State Highway Patrol		28 MoReg 1819		



Rule Number	Agency	Emergency	Proposed	Order	In Addition
11 CSR 50-2.020	Missouri State Highway Patrol		28 MoReg 1820		
11 CSR 50-2.050	Missouri State Highway Patrol		28 MoReg 1820		
11 CSR 50-2.160	Missouri State Highway Patrol		28 MoReg 1820		
11 CSR 50-2.200	Missouri State Highway Patrol		28 MoReg 1821		
11 CSR 50-2.270	Missouri State Highway Patrol		28 MoReg 1822		
11 CSR 50-2.320	Missouri State Highway Patrol		28 MoReg 1823		
11 CSR 50-2.340	Missouri State Highway Patrol		28 MoReg 1823		
11 CSR 75-13.090	Peace Officer Standards and Training Program		This Issue		
<b>DEPARTMENT OF REVENUE</b>					
12 CSR 10-3.036	Director of Revenue		28 MoReg 1381R	This IssueR	
12 CSR 10-3.046	Director of Revenue		28 MoReg 1381R	This IssueR	
12 CSR 10-3.120	Director of Revenue		28 MoReg 1381R	This IssueR	
12 CSR 10-3.176	Director of Revenue		28 MoReg 1382R	This IssueR	
12 CSR 10-3.486	Director of Revenue		28 MoReg 1382R	This IssueR	
12 CSR 10-3.836	Director of Revenue		28 MoReg 1382R	This IssueR	
12 CSR 10-3.838	Director of Revenue		28 MoReg 1382R	This IssueR	
12 CSR 10-23.050	Director of Revenue ( <i>Changed to 12 CSR 10-26.190</i> )		28 MoReg 1383	This Issue	
12 CSR 10-23.190	Director of Revenue ( <i>Changed to 12 CSR 10-26.180</i> )		28 MoReg 1110	28 MoReg 1857	
12 CSR 10-23.300	Director of Revenue		28 MoReg 1383	This Issue	
12 CSR 10-23.330	Director of Revenue		28 MoReg 1384	This Issue	
12 CSR 10-23.370	Director of Revenue		28 MoReg 1384	This Issue	
12 CSR 10-23.420	Director of Revenue		28 MoReg 1384	This Issue	
12 CSR 10-23.436	Director of Revenue		28 MoReg 1385R	This IssueR	
12 CSR 10-23.424	Director of Revenue		This Issue		
12 CSR 10-23.444	Director of Revenue		28 MoReg 1385R	This IssueR	
12 CSR 10-23.456	Director of Revenue		28 MoReg 1189	28 MoReg 1954	
12 CSR 10-23.458	Director of Revenue		28 MoReg 1386		
12 CSR 10-24.040	Director of Revenue		This Issue		
12 CSR 10-24.090	Director of Revenue		28 MoReg 1661	This Issue	
12 CSR 10-24.200	Director of Revenue		This Issue		
12 CSR 10-24.385	Director of Revenue		28 MoReg 1386	This Issue	
12 CSR 10-24.390	Director of Revenue		28 MoReg 1386	This Issue	
12 CSR 10-24.430	Director of Revenue		28 MoReg 1664		
12 CSR 10-24.450	Director of Revenue		This IssueR		
12 CSR 10-26.120	Director of Revenue		28 MoReg 1664		
12 CSR 10-26.180	Director of Revenue ( <i>Changed from 12 CSR 10-23.190</i> )		28 MoReg 1110	28 MoReg 1857	
12 CSR 10-26.190	Director of Revenue ( <i>Changed from 12 CSR 10-23.050</i> )		28 MoReg 1383	This Issue	
12 CSR 10-110.900	Director of Revenue		28 MoReg 881	28 MoReg 1584W	
12 CSR 10-111.010	Director of Revenue		28 MoReg 886	28 MoReg 1584W	
<b>DEPARTMENT OF SOCIAL SERVICES</b>					
13 CSR 40-2.310	Division of Family Services	28 MoReg 1421	28 MoReg 1423		
13 CSR 40-2.380	Division of Family Services	28 MoReg 1421	28 MoReg 1423		
13 CSR 40-19.020	Family Support Division	28 MoReg 1892	28 MoReg 1916		
13 CSR 40-31.025	Division of Family Services		28 MoReg 34		
13 CSR 70-4.040	Division of Medical Services		28 MoReg 1044	28 MoReg 1721	
13 CSR 70-4.070	Division of Medical Services		28 MoReg 1511		
13 CSR 70-10.015	Division of Medical Services	28 MoReg 1894 This IssueT	28 MoReg 1918		
13 CSR 70-10.080	Division of Medical Services	28 MoReg 1897 This IssueT	28 MoReg 1924		
13 CSR 70-10.110	Division of Medical Services	28 MoReg 1898 This IssueT	28 MoReg 1926		
13 CSR 70-15.110	Division of Medical Services	28 MoReg 1023 28 MoReg 1755T 28 MoReg 1755	28 MoReg 1044 28 MoReg 1824	28 MoReg 1722	
13 CSR 70-98.010	Division of Medical Services		28 MoReg 1111		
<b>ELECTED OFFICIALS</b>					
15 CSR 30-1.010	Secretary of State		This IssueR This Issue		
15 CSR 30-8.020	Secretary of State		28 MoReg 1928		
15 CSR 30-8.030	Secretary of State		28 MoReg 1928		
15 CSR 30-12.010	Secretary of State		28 MoReg 1931		
15 CSR 30-45.040	Secretary of State		This IssueR This Issue		
15 CSR 30-50.010	Secretary of State	28 MoReg 1616	28 MoReg 1664		
15 CSR 30-50.020	Secretary of State	28 MoReg 1617	28 MoReg 1665		
15 CSR 30-50.030	Secretary of State	28 MoReg 1617	28 MoReg 1666		
15 CSR 30-50.040	Secretary of State	28 MoReg 1618	28 MoReg 1667		
15 CSR 30-51.010	Secretary of State	28 MoReg 1619	28 MoReg 1668		
15 CSR 30-51.020	Secretary of State	28 MoReg 1620	28 MoReg 1668		
15 CSR 30-51.030	Secretary of State	28 MoReg 1620	28 MoReg 1669		
15 CSR 30-51.040	Secretary of State	28 MoReg 1620	28 MoReg 1669		
15 CSR 30-51.050	Secretary of State	28 MoReg 1620	28 MoReg 1670		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
15 CSR 30-51.060	Secretary of State	28 MoReg 1622	28 MoReg 1670		
15 CSR 30-51.070	Secretary of State	28 MoReg 1623	28 MoReg 1671		
15 CSR 30-51.090	Secretary of State	28 MoReg 1623	28 MoReg 1671		
15 CSR 30-51.100	Secretary of State	28 MoReg 1623	28 MoReg 1672		
15 CSR 30-51.110	Secretary of State	28 MoReg 1624	28 MoReg 1672		
15 CSR 30-51.120	Secretary of State	28 MoReg 1624R	28 MoReg 1672R		
		28 MoReg 1624	28 MoReg 1672		
15 CSR 30-51.130	Secretary of State	28 MoReg 1625R	28 MoReg 1673R		
		28 MoReg 1625	28 MoReg 1673		
15 CSR 30-51.140	Secretary of State	28 MoReg 1625R	28 MoReg 1673R		
		28 MoReg 1626	28 MoReg 1674		
15 CSR 30-51.145	Secretary of State	28 MoReg 1627	28 MoReg 1675		
15 CSR 30-51.150	Secretary of State	28 MoReg 1628R	28 MoReg 1676R		
15 CSR 30-51.160	Secretary of State	28 MoReg 1628	28 MoReg 1676		
15 CSR 30-51.165	Secretary of State	28 MoReg 1630	28 MoReg 1678		
15 CSR 30-51.169	Secretary of State	28 MoReg 1630	28 MoReg 1678		
15 CSR 30-51.170	Secretary of State	28 MoReg 1632	28 MoReg 1679		
15 CSR 30-51.180	Secretary of State	28 MoReg 1632	28 MoReg 1680		
15 CSR 30-52.010	Secretary of State	28 MoReg 1633	28 MoReg 1681		
15 CSR 30-52.015	Secretary of State	28 MoReg 1633	28 MoReg 1681		
15 CSR 30-52.020	Secretary of State	28 MoReg 1634	28 MoReg 1682		
15 CSR 30-52.025	Secretary of State	28 MoReg 1634	28 MoReg 1682		
15 CSR 30-52.030	Secretary of State	28 MoReg 1635	28 MoReg 1683		
15 CSR 30-52.100	Secretary of State	28 MoReg 1636	28 MoReg 1683		
15 CSR 30-52.120	Secretary of State	28 MoReg 1636	28 MoReg 1684		
15 CSR 30-52.200	Secretary of State	28 MoReg 1637	28 MoReg 1684		
15 CSR 30-52.260	Secretary of State	28 MoReg 1637	28 MoReg 1684		
15 CSR 30-52.275	Secretary of State	28 MoReg 1638	28 MoReg 1685		
15 CSR 30-52.280	Secretary of State	28 MoReg 1638	28 MoReg 1685		
15 CSR 30-52.300	Secretary of State	28 MoReg 1638	28 MoReg 1686		
15 CSR 30-52.310	Secretary of State	28 MoReg 1639	28 MoReg 1686		
15 CSR 30-52.320	Secretary of State	28 MoReg 1639	28 MoReg 1686		
15 CSR 30-52.330	Secretary of State	28 MoReg 1639	28 MoReg 1687		
15 CSR 30-52.340	Secretary of State	28 MoReg 1640	28 MoReg 1687		
15 CSR 30-53.010	Secretary of State	28 MoReg 1641	28 MoReg 1688		
15 CSR 30-54.010	Secretary of State	28 MoReg 1641	28 MoReg 1688		
15 CSR 30-54.015	Secretary of State	28 MoReg 1642	28 MoReg 1689		
15 CSR 30-54.020	Secretary of State	28 MoReg 1643	28 MoReg 1689		
15 CSR 30-54.030	Secretary of State	28 MoReg 1643R	28 MoReg 1690R		
15 CSR 30-54.040	Secretary of State	28 MoReg 1643R	28 MoReg 1690R		
15 CSR 30-54.050	Secretary of State	28 MoReg 1644	28 MoReg 1690		
15 CSR 30-54.060	Secretary of State	28 MoReg 1644	28 MoReg 1691		
15 CSR 30-54.070	Secretary of State	28 MoReg 1644R	28 MoReg 1691R		
		28 MoReg 1645	28 MoReg 1692		
15 CSR 30-54.080	Secretary of State	28 MoReg 1645R	28 MoReg 1692R		
15 CSR 30-54.090	Secretary of State	28 MoReg 1646R	28 MoReg 1692R		
15 CSR 30-54.100	Secretary of State	28 MoReg 1646	28 MoReg 1693		
15 CSR 30-54.110	Secretary of State	28 MoReg 1646	28 MoReg 1693		
15 CSR 30-54.120	Secretary of State	28 MoReg 1647	28 MoReg 1693		
15 CSR 30-54.125	Secretary of State	28 MoReg 1647R	28 MoReg 1694R		
15 CSR 30-54.130	Secretary of State	28 MoReg 1647R	28 MoReg 1694R		
		28 MoReg 1648	28 MoReg 1694		
15 CSR 30-54.140	Secretary of State	28 MoReg 1648R	28 MoReg 1695R		
15 CSR 30-54.150	Secretary of State	28 MoReg 1648	28 MoReg 1695		
15 CSR 30-54.160	Secretary of State	28 MoReg 1649R	28 MoReg 1696R		
15 CSR 30-54.170	Secretary of State	28 MoReg 1649	28 MoReg 1696		
15 CSR 30-54.175	Secretary of State	This Issue	This Issue		
15 CSR 30-54.183	Secretary of State	28 MoReg 1650	28 MoReg 1696		
15 CSR 30-54.190	Secretary of State	28 MoReg 1650R	28 MoReg 1696R		
		28 MoReg 1650	28 MoReg 1697		
15 CSR 30-54.210	Secretary of State	28 MoReg 1651	28 MoReg 1698		
15 CSR 30-54.215	Secretary of State	28 MoReg 1652	28 MoReg 1698		
15 CSR 30-54.220	Secretary of State	28 MoReg 1652	28 MoReg 1699		
15 CSR 30-54.230	Secretary of State		This IssueR		
15 CSR 30-54.240	Secretary of State		This IssueR		
15 CSR 30-54.250	Secretary of State	28 MoReg 1654	28 MoReg 1700		
15 CSR 30-54.260	Secretary of State	28 MoReg 1655	28 MoReg 1701		
15 CSR 30-54.280	Secretary of State		This IssueR		
15 CSR 30-54.290	Secretary of State	28 MoReg 1655	28 MoReg 1702		
15 CSR 30-55.010	Secretary of State	28 MoReg 1656	28 MoReg 1702		
15 CSR 30-55.020	Secretary of State	28 MoReg 1656	28 MoReg 1702		
15 CSR 30-55.025	Secretary of State	28 MoReg 1657	28 MoReg 1703		
15 CSR 30-55.030	Secretary of State	28 MoReg 1657	28 MoReg 1703		
15 CSR 30-55.040	Secretary of State	28 MoReg 1657	28 MoReg 1703		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
15 CSR 30-55.050	Secretary of State	28 MoReg 1658	28 MoReg 1703		
15 CSR 30-55.060	Secretary of State	28 MoReg 1658	28 MoReg 1704		
15 CSR 30-55.070	Secretary of State	28 MoReg 1658	28 MoReg 1704		
15 CSR 30-55.080	Secretary of State	28 MoReg 1658	28 MoReg 1704		
15 CSR 30-55.090	Secretary of State	28 MoReg 1659	28 MoReg 1704		
15 CSR 30-55.100	Secretary of State	28 MoReg 1659	28 MoReg 1705		
15 CSR 30-55.110	Secretary of State	28 MoReg 1659	28 MoReg 1705		
15 CSR 30-55.220	Secretary of State	28 MoReg 1660	28 MoReg 1705		
<b>RETIREMENT SYSTEMS</b>					
16 CSR 10-4.005	The Public School Retirement System of Missouri		28 MoReg 1705		
16 CSR 10-4.012	The Public School Retirement System of Missouri		28 MoReg 1706		
16 CSR 10-4.014	The Public School Retirement System of Missouri		28 MoReg 1707		
16 CSR 10-5.010	The Public School Retirement System of Missouri		28 MoReg 1709		
16 CSR 10-6.010	The Public School Retirement System of Missouri		28 MoReg 1709		
16 CSR 10-6.045	The Public School Retirement System of Missouri		28 MoReg 1709		
16 CSR 10-6.060	The Public School Retirement System of Missouri		28 MoReg 1712		
16 CSR 50-20.030	The County Employees' Retirement Fund		28 MoReg 1713		
16 CSR 50-20.050	The County Employees' Retirement Fund		28 MoReg 1713		
<b>DEPARTMENT OF HEALTH AND SENIOR SERVICES</b>					
19 CSR 10-5.010	Office of the Director		28 MoReg 1826		
19 CSR 10-33.040	Office of the Director	28 MoReg 1247	28 MoReg 1287	This Issue	
19 CSR 15-4.060	Division of Senior Services	28 MoReg 1756	28 MoReg 1837		
19 CSR 20-28.010	Division of Environmental Health and Communicable Disease Prevention		28 MoReg 1933		
19 CSR 30-82.015	Division of Health Standards and Licensure	28 MoReg 1756	28 MoReg 1837		
19 CSR 30-82.060	Division of Health Standards and Licensure	This Issue	This Issue		
19 CSR 30-82.080	Division of Health Standards and Licensure	28 MoReg 1757	28 MoReg 1838		
19 CSR 30-83.010	Division of Health Standards and Licensure	28 MoReg 1758	28 MoReg 1839		
19 CSR 30-85.042	Division of Health Standards and Licensure	28 MoReg 1758	28 MoReg 1839		
19 CSR 30-86.042	Division of Health Standards and Licensure	28 MoReg 1759	28 MoReg 1839		
19 CSR 60-50	Missouri Health Facilities Review Committee				28 MoReg 1859 28 MoReg 1956 This Issue
19 CSR 60-50.300	Missouri Health Facilities Review Committee		28 MoReg 1189		28 MoReg 1860
19 CSR 60-50.400	Missouri Health Facilities Review Committee		28 MoReg 1192		28 MoReg 1860
19 CSR 60-50.410	Missouri Health Facilities Review Committee		28 MoReg 1194	28 MoReg 1857	
19 CSR 60-50.420	Missouri Health Facilities Review Committee		28 MoReg 1196		28 MoReg 1860
19 CSR 60-50.430	Missouri Health Facilities Review Committee		28 MoReg 1199	28 MoReg 1857	
19 CSR 60-50.450	Missouri Health Facilities Review Committee		28 MoReg 1202		28 MoReg 1860
19 CSR 60-50.700	Missouri Health Facilities Review Committee		28 MoReg 1205	28 MoReg 1858	
<b>DEPARTMENT OF INSURANCE</b>					
20 CSR	Medical Malpractice				26 MoReg 599 27 MoReg 415 28 MoReg 489
20 CSR	Sovereign Immunity Limits				26 MoReg 75 27 MoReg 41 27 MoReg 2319
20 CSR 10-1.020	General Administration		28 MoReg 1937		
20 CSR 200-1.025	Financial Examination		28 MoReg 1713		
20 CSR 200-1.030	Financial Examination		28 MoReg 1714		
20 CSR 200-10.100	Financial Examination		28 MoReg 1714		
20 CSR 400-4.100	Life, Annuities and Health		28 MoReg 777R	28 MoReg 1955R	
			28 MoReg 778	28 MoReg 1955	
20 CSR 400-7.200	Life, Annuities and Health		28 MoReg 1715		
20 CSR 700-3.200	Licensing		28 MoReg 1716		

**Emergency Rules in Effect as of November 17, 2003****Publication****Expires****Office of Administration****Commissioner of Administration**

1 CSR 10-18.010 Retirement Policy . . . . . 28 MoReg 1615 . . . . . March 9, 2004

**Division of Facilities Management**

1 CSR 35-1.050 Public Use of State Facilities . . . . . This Issue . . . . . April 15, 2004

1 CSR 35-2.030 Administration of the Leasing Process . . . . . This Issue . . . . . April 15, 2004

**Department of Agriculture****Plant Industries**

2 CSR 70-13.030 Program Participation, Fee Payment and Penalties . . . . . 28 MoReg 1553 . . . . . February 16, 2004

**Department of Economic Development****Public Service Commission**

4 CSR 240-32.180 Definitions—Caller Identification Blocking Service . . . . . 28 MoReg 1891 . . . . . April 2, 2004

4 CSR 240-32.190 Standards for Providing Caller Identification Blocking Service . . . . . 28 MoReg 1891 . . . . . April 2, 2004

**Department of Elementary and Secondary Education****Missouri Commission for the Deaf and the Hard of Hearing**

5 CSR 100-200.045 Provisional Restricted Certification in Education . . . . . 28 MoReg 1554 . . . . . February 14, 2004

**Department of Transportation****Missouri Highways and Transportation Commission**

7 CSR 10-3.040 Division of Relocation Costs . . . . . 28 MoReg 1173 . . . . . February 26, 2004

7 CSR 10-25.010 Skill Performance Evaluation Certificates for Commercial Drivers . . . . 28 MoReg 1173 . . . . . February 26, 2004

**Department of Natural Resources****Soil and Water Districts Commission**

10 CSR 70-5.040 Cost-Share Rates and Reimbursement Procedures . . . . . 28 MoReg 1369 . . . . . January 14, 2004

**Department of Public Safety****Adjutant General**

11 CSR 10-5.010 Missouri Veterans' Recognition Program . . . . . 28 MoReg 1475 . . . . . February 17, 2004

**Department of Social Services****Division of Family Services**

13 CSR 40-2.310 Requirements as to Eligibility for Temporary Assistance . . . . . 28 MoReg 1421 . . . . . January 27, 2004

13 CSR 40-2.380 Grandparents as Foster Parents . . . . . 28 MoReg 1421 . . . . . January 27, 2004

13 CSR 40-19.020 Low Income Home Energy Assistance Program . . . . . 28 MoReg 1892 . . . . . March 28, 2004

**Division of Medical Services**

13 CSR 70-15.110 Federal Reimbursement Allowance (FRA) . . . . . 28 MoReg 1755 . . . . . March 15, 2004

**Elected Officials****Secretary of State**

15 CSR 30-50.010 Definitions . . . . . 28 MoReg 1616 . . . . . March 9, 2004

15 CSR 30-50.020 General Instructions . . . . . 28 MoReg 1617 . . . . . March 9, 2004

15 CSR 30-50.030 Fees . . . . . 28 MoReg 1617 . . . . . March 9, 2004

15 CSR 30-50.040 Forms . . . . . 28 MoReg 1618 . . . . . March 9, 2004

15 CSR 30-51.010 General Instructions . . . . . 28 MoReg 1619 . . . . . March 9, 2004

15 CSR 30-51.020 Applications for Registration or Notice Filings . . . . . 28 MoReg 1620 . . . . . March 9, 2004

15 CSR 30-51.030 Examination Requirement . . . . . 28 MoReg 1620 . . . . . March 9, 2004

15 CSR 30-51.040 Financial Statements . . . . . 28 MoReg 1621 . . . . . March 9, 2004

15 CSR 30-51.050 Net Capital Requirements for Broker-Dealers . . . . . 28 MoReg 1621 . . . . . March 9, 2004

15 CSR 30-51.060 Broker-Dealer Notice of Net Capital Deficiency . . . . . 28 MoReg 1622 . . . . . March 9, 2004

15 CSR 30-51.070 Minimum Net Worth Requirements for Investment Advisers . . . . . 28 MoReg 1623 . . . . . March 9, 2004

15 CSR 30-51.090 Segregation of Accounts by Broker-Dealers . . . . . 28 MoReg 1623 . . . . . March 9, 2004

15 CSR 30-51.100 Custody of Securities or Funds by Investment Advisers . . . . . 28 MoReg 1623 . . . . . March 9, 2004

15 CSR 30-51.110 Confirmations . . . . . 28 MoReg 1624 . . . . . March 9, 2004

15 CSR 30-51.120 Records Required of Broker-Dealers . . . . . 28 MoReg 1624 . . . . . March 9, 2004



Emergency Rules in Effect as of November 17, 2003		Publication	Expires
15 CSR 30-51.120	Records Required of Broker-Dealers . . . . .	28 MoReg 1624	March 9, 2004
15 CSR 30-51.130	Records to be Preserved by Broker-Dealers . . . . .	28 MoReg 1625	March 9, 2004
15 CSR 30-51.130	Records to be Preserved by Broker-Dealers . . . . .	28 MoReg 1625	March 9, 2004
15 CSR 30-51.140	Records Required of Investment Advisers . . . . .	28 MoReg 1625	March 9, 2004
15 CSR 30-51.140	Records Required of and to be Preserved by Investment Advisers . . . . .	28 MoReg 1626	March 9, 2004
15 CSR 30-51.145	Compensation Arrangements Involving Investment Advisers . . . . .	28 MoReg 1627	March 9, 2004
15 CSR 30-51.150	Records to be Preserved by Investment Advisers . . . . .	28 MoReg 1628	March 9, 2004
15 CSR 30-51.160	Effectiveness and Post-Effective Requirements . . . . .	28 MoReg 1628	March 16, 2004
15 CSR 30-51.165	Networking Arrangements between Broker-Dealers and Banks, Trust Companies or Savings Institutions . . . . .	28 MoReg 1630	March 9, 2004
15 CSR 30-51.169	Fraudulent Practices of Broker-Dealers and Agents . . . . .	28 MoReg 1630	March 9, 2004
15 CSR 30-51.170	Denial, Revocation and Suspension of Registration . . . . .	28 MoReg 1632	March 9, 2004
15 CSR 30-51.180	Exemptions from Registration for Broker-Dealers, Agents, Investment Advisers, and Investment Adviser Representatives . . . . .	28 MoReg 1632	March 9, 2004
15 CSR 30-52.010	General Provisions . . . . .	28 MoReg 1633	March 9, 2004
15 CSR 30-52.015	Applications for Registration . . . . .	28 MoReg 1633	March 9, 2004
15 CSR 30-52.020	Prospectus . . . . .	28 MoReg 1634	March 9, 2004
15 CSR 30-52.025	Financial Statements . . . . .	28 MoReg 1634	March 9, 2004
15 CSR 30-52.030	NASAA Statements of Policy . . . . .	28 MoReg 1635	March 9, 2004
15 CSR 30-52.100	Impoundment of Proceeds . . . . .	28 MoReg 1636	March 9, 2004
15 CSR 30-52.120	Debt Securities . . . . .	28 MoReg 1636	March 9, 2004
15 CSR 30-52.200	Offer of Refund Prior to Registration . . . . .	28 MoReg 1637	March 9, 2004
15 CSR 30-52.260	Suggested Form of Offer of Refund (Rescission) . . . . .	28 MoReg 1637	March 9, 2004
15 CSR 30-52.275	Small Company Offering Registrations (formerly Missouri Issuer Registration) . . . . .	28 MoReg 1638	March 9, 2004
15 CSR 30-52.280	Withdrawal of a Registration Statement . . . . .	28 MoReg 1638	March 9, 2004
15 CSR 30-52.300	Post-Effective Amendments and Notices to a Registration Statement . . . . .	28 MoReg 1638	March 9, 2004
15 CSR 30-52.310	Report of Completion of a Registration Statement . . . . .	28 MoReg 1639	March 9, 2004
15 CSR 30-52.320	Annual Report for the Renewal of a Registration Statement . . . . .	28 MoReg 1639	March 9, 2004
15 CSR 30-52.330	Records to be Preserved by Issuers . . . . .	28 MoReg 1639	March 9, 2004
15 CSR 30-52.340	Mortgage Revenue Bonds . . . . .	28 MoReg 1640	March 9, 2004
15 CSR 30-53.010	Promotional Materials to be Filed, Permitted Without Filing and Prohibited . . . . .	28 MoReg 1641	March 9, 2004
15 CSR 30-54.010	General . . . . .	28 MoReg 1641	March 9, 2004
15 CSR 30-54.015	Notice Filings for Investment Companies . . . . .	28 MoReg 1642	March 9, 2004
15 CSR 30-54.020	Government Issued or Guaranteed Securities . . . . .	28 MoReg 1643	March 9, 2004
15 CSR 30-54.030	Bank, Savings Institution or Trust Company Securities . . . . .	28 MoReg 1643	March 9, 2004
15 CSR 30-54.040	Federal Savings and Loan Association or State Building and Loan or Similar Association Securities . . . . .	28 MoReg 1643	March 9, 2004
15 CSR 30-54.050	Railroad, Other Common Carrier, Public Utility and Holding Company Securities . . . . .	28 MoReg 1644	March 9, 2004
15 CSR 30-54.060	Stock Exchange Listed Securities . . . . .	28 MoReg 1644	March 9, 2004
15 CSR 30-54.070	NASAA Statements of Policy (Exemptions) . . . . .	28 MoReg 1644	March 9, 2004
15 CSR 30-54.070	Not-for-Profit Securities . . . . .	28 MoReg 1645	March 9, 2004
15 CSR 30-54.080	Commercial Paper Securities . . . . .	28 MoReg 1645	March 9, 2004
15 CSR 30-54.090	Employees' Benefit Plan Securities . . . . .	28 MoReg 1646	March 9, 2004
15 CSR 30-54.100	Manual Exemption . . . . .	28 MoReg 1646	March 9, 2004
15 CSR 30-54.110	Unsolicited Order to Buy Exemption . . . . .	28 MoReg 1646	March 9, 2004
15 CSR 30-54.120	Mortgage-Note Exemption . . . . .	28 MoReg 1647	March 9, 2004
15 CSR 30-54.125	Institutional Buyer Exemption . . . . .	28 MoReg 1647	March 9, 2004
15 CSR 30-54.130	First Twenty-Five Persons Exemption . . . . .	28 MoReg 1647	March 9, 2004
15 CSR 30-54.130	Limited Offering Exemption . . . . .	28 MoReg 1648	March 9, 2004
15 CSR 30-54.140	Fifteen Transactions in Twelve Months Exemption . . . . .	28 MoReg 1648	March 9, 2004
15 CSR 30-54.150	Suggested Form of Investment Letter . . . . .	28 MoReg 1648	March 9, 2004
15 CSR 30-54.160	Offers to Existing Security Holders Exemption . . . . .	28 MoReg 1649	March 9, 2004
15 CSR 30-54.170	Preeffective Offer Exemption . . . . .	28 MoReg 1649	March 9, 2004
15 CSR 30-54.175	Solicitation of Interest . . . . .	This Issue	April 30, 2004
15 CSR 30-54.183	Exemption for Reporting Company Securities . . . . .	28 MoReg 1650	March 9, 2004
15 CSR 30-54.190	Agricultural Cooperative Association Securities . . . . .	28 MoReg 1650	March 9, 2004
15 CSR 30-54.190	New Generation Processing Entity . . . . .	28 MoReg 1650	March 9, 2004
15 CSR 30-54.210	Notice Filings for Transactions under Regulation D, Rules 505 and 506 . . . . .	28 MoReg 1651	March 9, 2004
15 CSR 30-54.215	Accredited Investor Exemption . . . . .	28 MoReg 1652	March 9, 2004

**Emergency Rules in Effect as of November 17, 2003****Publication****Expires**

<b>15 CSR 30-54.220</b>	Transaction Exemption for Securities Listed on Certain Quotation Systems . . . . .	28 MoReg 1652 . . . . .	March 9, 2004
<b>15 CSR 30-54.250</b>	Missouri Qualified Fund Exemption . . . . .	28 MoReg 1654 . . . . .	March 9, 2004
<b>15 CSR 30-54.260</b>	Foreign Issuer Exemption . . . . .	28 MoReg 1655 . . . . .	March 9, 2004
<b>15 CSR 30-54.290</b>	Canadian-United States Cross-Border Trading Exemption . . . . .	28 MoReg 1655 . . . . .	March 9, 2004
<b>15 CSR 30-55.010</b>	Who May Request . . . . .	28 MoReg 1656 . . . . .	March 9, 2004
<b>15 CSR 30-55.020</b>	Instituting Hearing Before the Commissioner . . . . .	28 MoReg 1656 . . . . .	March 9, 2004
<b>15 CSR 30-55.025</b>	General Prehearing Procedures . . . . .	28 MoReg 1657 . . . . .	March 9, 2004
<b>15 CSR 30-55.030</b>	Answers and Supplementary Pleadings . . . . .	28 MoReg 1657 . . . . .	March 9, 2004
<b>15 CSR 30-55.040</b>	Notice of Hearing . . . . .	28 MoReg 1657 . . . . .	March 9, 2004
<b>15 CSR 30-55.050</b>	Prehearing Conferences . . . . .	28 MoReg 1658 . . . . .	March 9, 2004
<b>15 CSR 30-55.060</b>	Public Hearing . . . . .	28 MoReg 1658 . . . . .	March 9, 2004
<b>15 CSR 30-55.070</b>	Record of Hearing Before the Commissioner . . . . .	28 MoReg 1658 . . . . .	March 9, 2004
<b>15 CSR 30-55.080</b>	Discovery . . . . .	28 MoReg 1658 . . . . .	March 9, 2004
<b>15 CSR 30-55.090</b>	Procedure at Hearing . . . . .	28 MoReg 1659 . . . . .	March 9, 2004
<b>15 CSR 30-55.100</b>	Subpoenas . . . . .	28 MoReg 1659 . . . . .	March 9, 2004
<b>15 CSR 30-55.110</b>	Motions, Suggestions and Legal Briefs . . . . .	28 MoReg 1659 . . . . .	March 9, 2004
<b>15 CSR 30-55.220</b>	Hearing Officers . . . . .	28 MoReg 1660 . . . . .	March 9, 2004

**Department of Health and Senior Services****Office of the Director**

<b>19 CSR 10-33.040</b>	Electronic Reporting of Patient Abstract Data by Hospitals for Public Syndromic Surveillance . . . . .	28 MoReg 1247 . . . . .	January 2, 2004
-------------------------	---	-------------------------	-----------------

**Division of Senior Services**

<b>19 CSR 15-4.060</b>	State Long-Term Care Ombudsman Program . . . . .	28 MoReg 1756 . . . . .	March 19, 2004
------------------------	--	-------------------------	----------------

**Division of Health Standards and Licensure**

<b>19 CSR 30-82.015</b>	Long-Term Care Receiverships . . . . .	28 MoReg 1756 . . . . .	March 19, 2004
<b>19 CSR 30-82.060</b>	Hiring Restrictions—Good Cause Waiver. . . . .	This Issue . . . . .	April 22, 2004
<b>19 CSR 30-82.080</b>	Nursing Facility Quality of Care Improvement Program . . . . .	28 MoReg 1757 . . . . .	March 19, 2004
<b>19 CSR 30-83.010</b>	Definitions of Terms . . . . .	28 MoReg 1758 . . . . .	March 19, 2004
<b>19 CSR 30-85.042</b>	Administration and Resident Care Requirements for New and Existing Intermediate Care and Skilled Nursing Facilities . . . . .	28 MoReg 1758 . . . . .	March 19, 2004
<b>19 CSR 30-86.042</b>	Administrative, Personnel and Resident Care Requirements for New and Existing Residential Care Facilities I and II . . . . .	28 MoReg 1759 . . . . .	March 19, 2004

# Executive Orders

## Executive Orders

	Subject Matter	Filed Date	Publication
<b>03-01</b>	Reestablishes the Missouri Lewis and Clark Bicentennial Commission	February 3, 2003	28 MoReg 296
<b>03-02</b>	Establishes the Division of Family Support in the Dept. of Social Services	February 5, 2003	28 MoReg 298
<b>03-03</b>	Establishes the Children's Division in the Dept. of Social Services	February 5, 2003	28 MoReg 300
<b>03-04</b>	Transfers all TANF functions to the Division of Workforce Development in the Dept. of Economic Development	February 5, 2003	28 MoReg 302
<b>03-05</b>	Transfers the Division of Highway Safety to the Dept. of Transportation	February 5, 2003	28 MoReg 304
<b>03-06</b>	Transfers the Minority Business Advocacy Commission to the Office of Administration	February 5, 2003	28 MoReg 306
<b>03-07</b>	Creates the Commission on the Future of Higher Education	March 17, 2003	28 MoReg 631
<b>03-08</b>	Lists Governor's Staff Who Have Supervisory Authority Over Departments	September 4, 2003	28 MoReg 1556
<b>03-09</b>	Lists Governor's Staff Who Have Supervisory Authority Over Departments	March 18, 2003	28 MoReg 633
<b>03-10</b>	Creates the Missouri Energy Policy Council	March 13, 2003	28 MoReg 634
<b>03-11</b>	Creates the Citizens Advisory Committee on Corrections	April 1, 2003	28 MoReg 705
<b>03-12</b>	Declares Disaster Areas due to May 4 Tornadoes	May 5, 2003	28 MoReg 950
<b>03-13</b>	Calls National Guard to Assist in Areas Harmed by the May 4 Tornadoes	May 5, 2003	28 MoReg 952
<b>03-14</b>	Temporarily Suspends Enforcement of Environmental Rules due to the May 4th [et.al] Tornadoes	May 7, 2003	28 MoReg 954
<b>03-15</b>	Establishes the Missouri Small Business Regulatory Fairness Board	August 25, 2003	28 MoReg 1477
<b>03-16</b>	Establishes the Missouri Commission on Patient Safety	October 1, 2003	28 MoReg 1760
<b>03-17</b>	Creates the Governor's Committee to End Chronic Homelessness	October 8, 2003	28 MoReg 1899
<b>03-21</b>	Closes state offices Friday, November 28 and Friday, December 26, 2003	October 24, 2003	This Issue

The rule number and the MoReg publication date follow each entry to this index.

## ADJUTANT GENERAL

veteran's recognition program; 11 CSR 10-5.010; 9/2/03

## ADMINISTRATION, OFFICE OF

retirement policy; 1 CSR 10-18.010; 9/2/03, 10/1/03

## ADMINISTRATIVE HEARING COMMISSION

complaints; 1 CSR 15-3.350; 7/15/03, 10/15/03

stays or suspensions; 1 CSR 15-3.320; 7/15/03, 10/15/03

## AIR QUALITY, POLLUTION

conformity to state implementation plans; 10 CSR 10-2.390;  
10 CSR 10-5.480; 3/17/03, 8/15/03

construction permits; 10 CSR 10-6.060; 4/15/03, 9/15/03

by rule; 10 CSR 10-6.062; 4/15/03, 9/15/03

exemptions; 10 CSR 10-6.061; 4/15/03, 9/15/03

control of petroleum liquid storage, loading, transfer; 10 CSR 10-  
2.260; 9/15/03

definitions; 10 CSR 10-6.020; 4/15/03, 9/15/03

emissions

alternate limits; 10 CSR 10-6.100; 12/16/02, 6/16/03

hazardous air pollutants; 10 CSR 10-6.080; 3/17/03, 9/2/03

limitations, oxides of nitrogen; 10 CSR 10-6.350; 1/16/03,  
7/15/03

lithographic installations; 10 CSR 10-2.340; 2/18/03, 7/15/03  
restrictions

odors; 10 CSR 10-2.070, 10 CSR 10-3.090, 10 CSR  
10-4.070, 10 CSR 10-5.160; 3/17/03, 8/15/03

submission of data; 10 CSR 10-6.110; 6/16/03, 11/3/03

sulfur compounds; 10 CSR 10-6.260; 11/3/03

maximum achievable control technology; 10 CSR 10-6.075;  
3/17/03, 9/2/03

new source performance operations; 10 CSR 10-6.070; 3/17/03,  
9/2/03

operating permits; 10 CSR 10-6.065; 4/15/03, 9/15/03

start-up, shutdown, malfunction conditions; 10 CSR 10-6.050;  
9/15/03

## AMBULANCES

application and licensure; 19 CSR 30-40.309; 5/1/03, 8/15/03

## AMUSEMENT RIDES

accident, report; 11 CSR 40-6.045; 5/15/03, 9/2/03

cessation order; 11 CSR 40-6.050; 5/15/03, 9/2/03

cost, investigation; 11 CSR 40-6.055; 5/15/03, 9/2/03

director; 11 CSR 40-6.060; 5/15/03, 9/2/03

inspection; 11 CSR 40-6.010; 5/15/03, 9/2/03

insurance, liability; 11 CSR 40-6.040; 5/15/03, 9/2/03

operator; 11 CSR 40-6.080; 5/15/03, 9/2/03

owner; 11 CSR 40-6.075; 5/15/03, 9/2/03

passenger/rider responsibility; 11 CSR 40-6.085; 5/15/03, 9/2/03

purpose; 11 CSR 40-6.031; 5/15/03, 9/2/03

terms, defined; 11 CSR 40-6.020; 5/15/03, 9/2/03

## ANIMAL FACILITIES

loan guarantee program; 2 CSR 100-6.010; 10/15/03

## ANIMAL HEALTH

admission; 2 CSR 30-2.010; 4/15/03, 6/16/03, 8/15/03

animal care facilities; 2 CSR 30-9.020; 6/16/03, 11/3/03

standards; 2 CSR 30-9.030; 6/16/03, 11/17/03

duties, facilities of the market/sale veterinarian; 2 CSR 30-6.020;  
3/3/03, 6/16/03

elk, captive, entering Missouri; 2 CSR 30-2.012; 9/3/02

exhibition; 2 CSR 30-2.040; 3/3/03, 4/15/03, 6/16/03

movement of livestock; 2 CSR 30-2.020; 3/3/03, 4/15/03, 6/16/03,  
8/15/03

## ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS, LANDSCAPE ARCHITECTS

architects

evaluation; 4 CSR 30-4.060; 10/15/03

seals; 4 CSR 30-3.020; 9/2/03

engineers

seals; 4 CSR 30-3.030; 9/2/03

fees; 4 CSR 30-6.015; 10/15/03

reexamination; 4 CSR 30-6.020; 10/15/03

landscape architect

admission to exam; 4 CSR 30-5.150; 10/15/03

CLARB examination; 4 CSR 30-5.140; 10/15/03

evaluation; 4 CSR 30-4.090; 10/15/03

seals; 4 CSR 30-3.050; 9/2/03

land surveyors

seals; 4 CSR 30-3.040; 9/2/03

seal, license; 4 CSR 30-3.060; 9/2/03

surveys, standards for property boundary

accuracy standards for property boundaries; 4 CSR 30-16.040;  
5/1/03, 9/2/03

condominium surveys; 4 CSR 30-16.100; 5/1/03, 9/2/03

definitions; 4 CSR 30-16.020; 5/1/03, 9/2/03

land surveying requirements; 4 CSR 30-16.030; 5/1/03,  
9/2/03

monumentation, approved; 4 CSR 30-16.060; 5/1/03, 9/2/03

original surveys; 4 CSR 30-16.080; 5/1/03, 9/2/03

resurveys; 4 CSR 30-16.070; 5/1/03, 9/2/03

subdivision surveys; 4 CSR 30-16.090; 5/1/03, 9/2/03

## ASSISTIVE DEVICES

accommodations for the disabled; 15 CSR 60-11.100; 2/18/03,  
7/15/03

appointment of arbitration firm; 15 CSR 60-11.010; 2/18/03,  
7/15/03

assignment of arbitrator; 15 CSR 60-11.050; 2/18/03, 7/15/03

cost of arbitration; 15 CSR 60-11.040; 2/18/03, 7/15/03

decision, arbitrator's; 15 CSR 60-11.140; 2/18/03, 7/15/03

defaults; 15 CSR 60-11.120; 2/18/03, 7/15/03

filing for arbitration; 15 CSR 60-11.030; 2/18/03, 7/15/03

hearing on documents only; 15 CSR 60-11.110; 2/18/03, 7/15/03

hearing procedure; 15 CSR 60-11.090; 2/18/03, 7/15/03

notice to consumers; 15 CSR 60-11.020; 2/18/03, 7/15/03

record keeping; 15 CSR 60-11.150; 2/18/03, 7/15/03

representation by counsel or third party; 15 CSR 60-11.080;  
2/18/03, 7/15/03

request for additional information; 15 CSR 60-11.070; 2/18/03,  
7/15/03

sample form; 15 CSR 60-11.160; 2/18/03, 7/15/03

scheduling of arbitration hearings; 15 CSR 60-11.060; 2/18/03,  
7/15/03

withdrawal or settlement prior to decision; 15 CSR 60-11.130;  
2/18/03, 7/15/03

## BARBER EXAMINERS, STATE BOARD OF

reinstatement of expired license; 4 CSR 60-1.040; 9/2/03

sanitation rules; 4 CSR 60-4.015; 9/2/03

## BINGO

duty to report, licensee; 11 CSR 45-30.550; 6/16/03

paraphernalia, approval; 11 CSR 45-30.540; 6/16/03



**BOILER AND PRESSURE VESSEL SAFETY**

administration; 11 CSR 40-2.020; 11/1/02, 4/1/03, 7/1/03  
definitions; 11 CSR 40-2.010; 7/1/03  
existing; 11 CSR 40-2.040; 7/1/03  
    installation; 11 CSR 40-2.030; 7/1/03  
    pressure vessels; 11 CSR 40-2.050; 7/1/03  
heating boilers, existing; 11 CSR 40-2.040; 7/1/03  
power boilers, installation; 11 CSR 40-2.030; 7/1/03  
pressure vessels; 11 CSR 40-2.050; 7/1/03  
requirements, general; 11 CSR 40-2.060; 7/1/03

**BOLL WEEVIL ERADICATION**

program participation, fee, penalties; 2 CSR 70-13.030; 9/15/03

**CERTIFICATE OF NEED PROGRAM**

application  
    package; 19 CSR 60-50.430; 1/16/03, 6/16/03, 7/1/03, 10/15/03  
    process; 19 CSR 60-50.420; 1/16/03, 6/16/03, 7/1/03  
criteria and standards  
    long-term care; 19 CSR 60-50.450; 1/16/03, 6/16/03, 7/1/03  
    post-decision activity; 19 CSR 60-50.700; 1/16/03, 6/16/03, 7/1/03, 10/15/03  
definitions; 19 CSR 60-50.300; 1/16/03, 6/16/03, 7/1/03  
letter of intent  
    package; 19 CSR 60-50.410; 1/16/03, 6/16/03, 7/1/03, 10/15/03  
    process; 19 CSR 60-50.400; 1/16/03, 6/16/03, 7/1/03  
review process; 19 CSR 60-50.420; 1/16/03, 6/16/03, 7/1/03

**CHILD ABUSE**

review process; 13 CSR 40-31.025; 1/2/03

**CHIROPRACTIC EXAMINERS, BOARD OF**

adjunctive procedures; 4 CSR 70-2.030; 9/2/03  
application for licensure; 4 CSR 70-2.040; 9/2/03  
colleges, board approved; 4 CSR 70-2.045; 9/2/03  
complaint handling and disposition; 4 CSR 70-2.065; 9/2/03  
corporations, professional; 4 CSR 70-2.100; 9/2/03  
diagnostic procedures, instruments; 4 CSR 70-2.020; 9/2/03  
examinations; 4 CSR 70-2.050; 9/2/03  
fees; 4 CSR 70-2.090; 9/2/03  
license renewal, biennial; 4 CSR 70-2.080; 9/2/03  
organization; 4 CSR 70-1.010; 9/2/03  
postgraduate education; 4 CSR 70-2.081; 9/2/03  
preceptorship; 4 CSR 70-3.010; 9/2/03  
professional conduct rules; 4 CSR 70-2.060; 9/2/03  
reciprocity; 4 CSR 70-2.070; 9/2/03

**CLEAN WATER COMMISSION**

permit, construction and operating; 10 CSR 20-6.010; 6/16/03

**CONSERVATION COMMISSION**

black bass; 3 CSR 10-6.505; 11/17/03  
boats and motors; 3 CSR 10-11.160; 6/16/03, 9/2/03  
    use of; 3 CSR 10-12.110; 6/16/03, 9/2/03, 11/17/03  
bullfrogs, green frogs; 3 CSR 10-12.115; 11/17/03  
cable restraint permit, resident; 3 CSR 10-5.375; 11/17/03  
catfish; 3 CSR 10-6.510; 11/17/03  
deer; 3 CSR 10-7.435; 7/15/03  
    hunting; 3 CSR 10-11.182; 6/16/03, 7/15/03, 9/2/03, 10/1/03, 11/17/03  
definitions; 3 CSR 10-20.805; 7/15/03, 10/1/03, 11/17/03  
dog training area; 3 CSR 10-9.628; 11/17/03  
endangered species; 3 CSR 10-4.111; 6/16/03, 9/2/03  
falconry; 3 CSR 10-9.442; 10/15/03  
field trial permit; 3 CSR 10-9.625; 11/17/03  
fishing

commercial permit; 3 CSR 10-10.720; 11/17/03  
daily and possession limits; 3 CSR 10-11.210; 11/17/03;  
    3 CSR 10-12.140; 6/16/03, 9/2/03, 10/1/03,  
11/17/03  
hours and methods; 3 CSR 10-11.205; 6/16/03, 9/2/03,  
    11/17/03  
length limits; 3 CSR 10-11.215, 3 CSR 10-12.145; 11/17/03  
methods; 3 CSR 10-12.135; 6/16/03, 9/2/03, 10/1/03,  
    11/17/03  
permit, daily; 3 CSR 10-5.440; 11/17/03  
permits, resident; 3 CSR 10-5.340; 11/17/03  
    lifetime conservation partner; 3 CSR 10-5.310;  
    11/17/03  
provisions, general; 3 CSR 10-6.405; 5/1/03, 7/15/03  
reciprocal privileges; 3 CSR 10-10.726; 5/1/03, 7/15/03  
tag and release fishing; 3 CSR 10-10.732; 5/1/03, 7/15/03  
furbearers, trapping seasons; 3 CSR 10-8.515; 9/2/03, 11/17/03  
    nonresident hunting, trapping permit; 3 CSR 10-5.570;  
    11/17/03  
hound dog running area; 3 CSR 10-5.470; 11/17/03  
    privileges, requirements; 3 CSR 10-9.575; 11/17/03  
hunting  
    furbearers; 3 CSR 10-7.450; 11/17/03  
    general provisions; 3 CSR 10-11.180; 11/17/03  
    methods; 3 CSR 10-7.410; 6/16/03, 9/2/03, 11/17/03  
    provisions, seasons; 3 CSR 10-11.180; 6/16/03, 9/2/03  
hunting, trapping; 3 CSR 10-12.125; 11/17/03  
licensed hunting preserve; 3 CSR 10-9.565; 11/17/03  
migratory game birds; 3 CSR 10-10.745; 6/16/03  
    seasons and limits; 3 CSR 10-7.440; 8/15/03, 10/15/03  
organization; 3 CSR 10-1.010; 9/2/03, 11/17/03  
paddlefish; 3 CSR 10-6.525; 11/17/03  
permit, firearms  
    obtained, not transferable; 3 CSR 10-5.215; 11/17/03  
    nonresident firearms  
        first bonus; 3 CSR 10-5.552; 7/15/03, 10/1/03  
        landowner, first bonus; 3 CSR 10-5.577; 7/15/03,  
        10/1/03  
        landowner, second bonus; 3 CSR 10-5.578; 7/15/03,  
        10/1/03  
        second bonus; 3 CSR 10-5.553; 7/15/03, 10/1/03  
    required, exceptions; 3 CSR 10-5.205; 11/17/03  
    resident firearms first bonus; 3 CSR 10-5.352; 7/15/03,  
    10/1/03  
permit, hunting and fishing; 3 CSR 10-5.330; 11/17/03  
prohibitions, general; 3 CSR 10-9.110; 6/16/03, 9/2/03, 11/17/03;  
    3 CSR 10-4.110; 11/17/03  
provisions, general; 3 CSR 10-7.405; 11/17/03  
restricted zones; 3 CSR 10-6.415; 11/17/03  
rock bass, warmouth; 3 CSR 10-6.530; 11/17/03  
sale, possession of wildlife parts; 3 CSR 10-10.768; 11/17/03  
small game permit; 3 CSR 10-5.320; 11/17/03  
    daily; 3 CSR 10-5.445; 11/17/03  
    resident; 3 CSR 10-5.345; 11/17/03  
squirrels; 3 CSR 10-7.425; 11/17/03  
taxidermy; 3 CSR 10-10.767; 11/17/03  
turkey; 3 CSR 10-7.455; 6/16/03, 9/2/03  
    resident hunting permit; 3 CSR 10-5.365; 11/17/03  
    seasons; 3 CSR 10-7.455; 11/17/03  
use of traps; 3 CSR 10-8.510; 11/17/03  
waterfowl hunting; 3 CSR 10-11.186; 6/16/03, 9/2/03  
youth deer and turkey hunting permit; 3 CSR 10-5.420; 11/17/03

**CONTROLLED SUBSTANCES**

definitions; 19 CSR 30-1.011; 3/3/03, 6/16/03  
dispensing and distribution; 19 CSR 30-1.040; 3/3/03, 6/16/03  
registration  
    changes; 19 CSR 30-1.023; 3/3/03, 6/16/03  
    fees; 19 CSR 30-1.015; 3/3/03, 6/16/03

location; 19 CSR 30-1.019; 3/3/03, 6/16/03  
process; 19 CSR 30-1.017; 3/3/03, 6/16/03  
schedules of controlled substances; 19 CSR 30-1.002; 3/3/03, 6/16/03  
security for practitioners; 19 CSR 30-1.034; 3/3/03, 6/16/03

**CREDIT UNIONS, DIVISION OF**

fiscal and financial services; 4 CSR 100-2.080; 7/15/03, 11/3/03

**DEAF AND HARD OF HEARING, MISSOURI COMMISSION FOR THE**

provisional restricted certification; 5 CSR 100-200.045; 9/15/03

**DIETITIANS, STATE COMMITTEE OF**

fees; 4 CSR 115-1.040; 7/15/03, 11/17/03

**DISEASES**

blood-borne pathogen standard; 19 CSR 20-20.092; 4/15/03, 8/1/03

duties of laboratories; 19 CSR 20-20.080; 4/15/03, 8/1/03  
testing, contagious or infectious diseases; 19 CSR 20-20.091; 4/15/03, 8/1/03

**DRIVERS LICENSE BUREAU RULES**

classes; 12 CSR 10-24.200; 11/17/03  
commercial driver instruction permit; 12 CSR 10-24.390; 8/1/03, 11/17/03  
complaints; 12 CSR 10-26.120; 10/1/03  
driver license; 12 CSR 10-24.430; 10/1/03  
DWI rehabilitation program; 12 CSR 10-24.040; 11/17/03  
expiration dates, staggering; 12 CSR 10-24.450; 11/17/03  
reissuance of license; 12 CSR 10-24.140; 3/3/03, 8/1/03  
school bus permits; 12 CSR 10-24.385; 8/1/03, 11/17/03  
vision test guidelines; 12 CSR 10-24.090; 10/1/03

**ELEMENTARY AND SECONDARY EDUCATION**

A+ schools program; 5 CSR 50-350.040; 4/1/03, 8/1/03  
academically deficient schools; 5 CSR 50-340.110; 6/2/03, 10/1/03  
application, certificate to teach; 5 CSR 80-800.200; 10/15/03  
administrators; 5 CSR 80-800.220; 10/15/03  
adult education, literacy; 5 CSR 80-800.280; 10/15/03  
classifications; 5 CSR 80-800.360; 10/15/03  
content areas; 5 CSR 80-800.350; 10/15/03  
discipline and denial; 5 CSR 80-800.300; 10/15/03  
student services; 5 CSR 80-800.230; 10/15/03  
substitute; 5 CSR 80-800.290; 10/15/03  
temporary authorization; 5 CSR 80-800.260; 10/15/03  
assessments, required; 5 CSR 80-800.380; 10/15/03  
background clearance; 5 CSR 80-800.400; 10/15/03  
federal programs; 5 CSR 30-4.010; 2/18/03, 7/1/03  
fees; 5 CSR 80-800.370; 10/15/03  
Improving America's Schools Act; 5 CSR 50-350.015; 6/2/03, 10/1/03  
incentives, school excellence program; 5 CSR 50-310.010; 6/2/03, 10/1/03  
information reported by school districts; 5 CSR 50-340.200; 6/2/03, 10/1/03  
new schools pilot project; 5 CSR 50-370.010; 6/2/03, 10/1/03  
persistently dangerous schools; 5 CSR 50-355.100; 2/18/03, 7/1/03  
personal care assistance program  
definitions; 5 CSR 90-7.010; 10/15/03  
eligibility; 5 CSR 90-7.100; 10/15/03  
hearings; 5 CSR 90-7.320; 10/15/03  
providers; 5 CSR 90-7.200; 10/15/03  
pupil/teacher ratio; 5 CSR 50-360.010; 6/2/03, 10/1/03  
reimbursement, panel members; 5 CSR 70-742.160; 6/2/03, 10/1/03  
school buses, operation; 5 CSR 30-261.010; 7/1/03, 11/17/03  
standards for approval of courses; 5 CSR 60-900.050; 6/16/03, 11/17/03

vocational education; 5 CSR 60-120.020; 7/1/03, 11/17/03  
vocational rehabilitation  
due process hearing; 5 CSR 90-4.420; 5/1/03, 9/15/03  
fees; 5 CSR 90-5.410; 5/1/03, 9/15/03  
home modification, remodeling; 5 CSR 90-5.450; 9/16/02  
informal review; 5 CSR 90-4.410; 5/1/03, 9/15/03  
maintenance, transportation; 5 CSR 90-5.420; 9/16/02, 5/1/03, 9/15/03  
mediation; 5 CSR 90-4.430; 9/16/02  
state plan; 5 CSR 60-120.010; 9/16/02  
training; 5 CSR 90-5.440; 5/1/03, 9/15/03

**ELEVATORS**

fees, penalties; 11 CSR 40-5.110; 10/15/02, 4/1/03, 7/1/03

**ENERGY ASSISTANCE**

low income program; 13 CSR 40-19.020; 11/3/03

**EXECUTIVE ORDERS**

Children's Division; 03-03; 2/18/03  
Citizen's Advisory Committee on Corrections; 03-11; 5/15/03  
committee to end chronic homelessness; 03-17; 11/3/03  
disaster areas due to May 4 tornadoes; 03-12; 5/15/03  
Energy Policy Council; 03-10; 4/1/03  
Family Support, Division of; 03-02; 2/18/03  
Future of Higher Education, Commission on the; 03-07; 4/1/03  
Highway Safety, Division of; 03-05; 2/18/03  
holiday schedule, state offices; 03-21; 11/17/03  
Lewis and Clark; 03-01; 2/18/03  
Minority Business Advocacy Commission; 03-06; 2/18/03  
National Guard to assist areas; 03-13; 5/15/03  
patient safety, commission on; 03-16; 10/15/03  
small business regulatory fairness board; 03-15; 10/1/03  
suspends environmental rules; 03-14; 5/15/03  
supervisory authority; 03-09; 4/1/03  
supervisory authority; 03-08; 9/15/03  
Workforce Development, Division of; 03-04; 2/18/03

**FACILITIES MANAGEMENT, DIVISION OF**

leasing, administration; 1 CSR 35-2.030; 11/17/03  
public use of state facilities; 1 CSR 35-1.050; 11/17/03

**FAMILY SERVICES, DIVISION OF**

grandparents as foster parents; 13 CSR 40-2.380; 8/15/03  
temporary assistance, aliens; 13 CSR 40-2.310; 8/15/03

**FINANCE, DIVISION OF**

key man insurance; 4 CSR 140-2.055; 2/18/03, 7/1/03  
loan companies, small  
licensing; 4 CSR 140-11.010; 2/18/03, 7/1/03  
record keeping; 4 CSR 140-11.020; 2/18/03, 7/1/03  
preservation of records; 4 CSR 140-2.140; 2/18/03, 7/1/03  
section 500 companies  
licensing; 4 CSR 140-11.030; 2/18/03, 7/1/03  
record keeping; 4 CSR 140-11.040; 2/18/03, 7/1/03

**GAMING COMMISSION, MISSOURI**

disciplinary action; 11 CSR 45-13.050; 8/1/03  
hearings; 11 CSR 45-13.010; 8/1/03  
bingo hearings; 11 CSR 45-13.051; 8/1/03  
gaming applicants; 11 CSR 45-13.045; 8/1/03  
officer; 11 CSR 45-13.020; 8/1/03  
proceedings; 11 CSR 45-13.060; 8/1/03  
prohibition on ex parte communications; 11 CSR 45-13.080; 8/1/03  
request for hearings; 11 CSR 45-13.030; 8/1/03  
transmittal of record; 11 CSR 45-13.070; 8/1/03  
minimum internal control standards; 11 CSR 45-9.030; 6/16/03  
misconduct, duty to report and prevent; 11 CSR 45-10.030; 4/1/03, 8/15/03

occupational license; 11 CSR 45-4.260; 1/2/03  
records; 11 CSR 45-3.010; 3/3/03, 7/15/03  
slot machines; 11 CSR 45-5.200; 3/3/03, 7/15/03

**GEOLOGIST REGISTRATION, MISSOURI BOARD OF**

application; 4 CSR 145-1.030; 5/1/03, 8/15/03  
post-baccalaureate experience; 4 CSR 145-2.030; 5/1/03, 8/15/03  
seal, registered; 4 CSR 145-2.100; 5/1/03, 8/15/03

**HAZARDOUS WASTE MANAGEMENT COMMISSION**

fees and taxes; 10 CSR 25-12.010; 5/1/03, 11/3/03

**HEALING ARTS, BOARD OF REGISTRATION FOR**

fees, 4 CSR 150-2.080; 9/2/03

**HEALTH MAINTENANCE ORGANIZATIONS**

definitions; 19 CSR 10-5.010; 10/15/03

**HEARING INSTRUMENT SPECIALISTS**

license renewal; 4 CSR 165-2.060; 5/1/03, 8/15/03  
licensure by exam; 4 CSR 165-2.030; 5/1/03, 8/15/03  
temporary permits; 4 CSR 165-2.010; 5/1/03, 8/15/03

**HIGHER EDUCATION, DEPARTMENT OF**

community junior college districts; 6 CSR 10-6.010; 5/15/03,  
9/2/03

**HIGHWAYS AND TRANSPORTATION COMMISSION**

motor carriers operations  
    skill performance certificates; 7 CSR 10-25.010; 7/1/03,  
    11/17/03  
outdoor advertising  
    beyond 600 feet of right-of-way; 7 CSR 10-6.050; 5/15/03,  
    10/15/03  
    definitions; 7 CSR 10-6.015; 5/15/03, 10/15/03  
    information; 7 CSR 10-6.010; 5/15/03, 10/15/03  
    judicial review; 7 CSR 10-6.100; 5/15/03, 10/15/03  
    permits; 7 CSR 10-6.070; 5/15/03, 10/15/03  
    removal; 7 CSR 10-6.080; 5/15/03, 10/15/03  
    review of notices; 7 CSR 10-6.090; 5/15/03, 10/15/03  
    signs  
        directional; 7 CSR 10-6.020; 5/15/03, 10/15/03  
        nonconforming; 7 CSR 10-6.060; 5/15/03, 10/15/03  
        on-premises; 7 CSR 10-6.030; 5/15/03, 10/15/03  
    vegetation, cutting and trimming; 7 CSR 10-6.085; 5/15/03,  
    10/15/03  
    zoned areas; 7 CSR 10-6.040; 5/15/03, 10/15/03  
traffic generators; 7 CSR 10-17.010; 9/15/03  
utility and private line utility facilities  
    relocation costs; 7 CSR 10-3.040; 7/1/03, 11/17/03

**HOME HEALTH AGENCY**

hiring restrictions; 19 CSR 30-82.060; 11/17/03

**HOSPITAL AND AMBULATORY SURGICAL CENTERS**

electronic reporting of patient abstract data; 19 CSR 10-33.040;  
7/15/03, 11/17/03

**IMMUNIZATIONS**

school children; 19 CSR 20-28.010; 11/3/03

**INSURANCE, DEPARTMENT OF**

commercial inland marine; 20 CSR 500-1.210; 12/2/02, 6/2/03  
continuing education; 20 CSR 700-3.200; 10/1/03  
financial statement, diskette filing; 20 CSR 200-1.030; 10/1/03  
interpretation of referenced or adopted material;  
    20 CSR 10-1.020; 11/3/03  
long-term care; 20 CSR 400-4.100; 4/15/03, 11/3/03  
market conduct examinations; 20 CSR 300-2.200; 6/16/03  
medical malpractice award; 20 CSR; 3/1/01, 3/1/02, 3/3/03

mortgage guaranty, definitions; 20 CSR 500-10.100; 12/2/02,  
6/2/03

provider selection standards; 20 CSR 400-7.200; 10/1/03  
records, market conduct exam; 20 CSR 300-2.200; 3/3/03, 6/16/03  
settlements, standards; 20 CSR 100-1.060; 12/16/02  
sovereign immunity limits; 20 CSR; 1/2/02, 12/16/02  
who must file; 20 CSR 200-10.100; 10/1/03  
workers' compensation; 20 CSR 500-6.960; 12/2/02; 6/2/03  
valuation of invested assets; 20 CSR 200-1.025; 10/1/03

**INTERPRETERS, STATE COMMITTEE OF**

principles, general; 4 CSR 232-3.010; 10/15/03

**LABOR STANDARDS, DIVISION OF**

definitions; 8 CSR 30-4.010; 11/17/03  
organization; 8 CSR 30-1.010; 11/17/03  
wage rates; 8 CSR 30-4.020; 11/17/03

**LAND SURVEY**

surveys, standards for property boundary  
    accuracy standards for property boundaries; 10 CSR 30-  
    2.040; 5/1/03, 9/2/03  
    condominium surveys; 10 CSR 30-2.100; 5/1/03, 9/2/03  
    definitions; 10 CSR 30-2.020; 5/1/03, 9/2/03  
    land surveying requirements; 10 CSR 30-2.030; 5/1/03,  
    9/2/03  
    monumentation, approved; 10 CSR 30-2.060; 5/1/03, 9/2/03  
    original surveys; 10 CSR 30-2.080; 5/1/03, 9/2/03  
    resurveys; 10 CSR 30-2.070; 5/1/03, 9/2/03  
    subdivision surveys; 10 CSR 30-2.090; 5/1/03, 9/2/03

**LEAD PROGRAM**

lead poisoning; 19 CSR 20-8.030; 3/3/03, 6/16/03

**LIBRARY, STATE**

computers, public access, filtering; 15 CSR 30-200.030; 12/2/02,  
3/17/03

**LONG-TERM CARE, NURSING FACILITIES**

administration, resident care requirements  
    intermediate care, skill nursing facilities; 19 CSR 30-85.042;  
    10/15/03  
    residential care facilities I and II; 19 CSR 30-86.042;  
    10/15/03  
definitions; 19 CSR 30-83.010; 10/15/03  
nursing facility quality of care improvement program;  
    19 CSR 30-82.080; 10/15/03  
receiverships; 19 CSR 30-82.015; 10/15/03

**MEDICAID**

dental program; 13 CSR 70-35.010; 7/15/02, 8/15/02, 1/2/03,  
3/3/03  
federal reimbursement allowance; 13 CSR 70-15.110; 6/2/03,  
10/1/03, 10/15/03  
optical care benefits; 13 CSR 70-40.010; 3/3/03, 4/1/03, 9/2/03  
recipient payments; 13 CSR 70-4.040; 6/2/03, 10/1/03  
specialty hospitals; 13 CSR 70-15.010; 3/17/03, 7/1/03

**MEDICAL SERVICES, DIVISION OF**

payment of claims, Medicare Part B; 13 CSR 70-3.065; 2/18/03  
privacy, information; 13 CSR 70-1.020; 3/3/03, 8/1/03  
psychiatric/psychology/counseling/clinical social work program;  
    13 CSR 70-98.010; 6/16/03  
reimbursement, nursing services; 13 CSR 70-10.015; 11/3/03,  
11/17/03  
    allowance; 13 CSR 70-10.110; 11/3/03, 11/17/03  
    HIV services; 13 CSR 70-10.080; 11/3/03, 11/17/03  
Title XIX recipient lock-in program; 13 CSR 70-4.070; 9/2/03



**MENTAL HEALTH, DEPARTMENT OF**

alcohol and drug abuse programs  
certification; 9 CSR 30-3.032; 5/1/03, 9/2/03  
opioid treatment program; 9 CSR 30-3.132; 8/1/03, 11/17/03  
certification; 9 CSR 10-7.130; 4/1/03, 8/15/03  
complaints of abuse, neglect; 9 CSR 10-5.200; 10/15/02, 6/16/03, 11/17/03  
fire safety  
definitions; 9 CSR 45-5.105; 10/15/03  
on-site day habilitation; 9 CSR 45-5.110; 10/15/03  
residential habilitation for  
4–9 people; 9 CSR 45-5.130; 10/15/03  
10–16 people; 9 CSR 45-5.140; 10/15/03  
17 or more people; 9 CSR 45-5.150; 10/15/03  
fiscal management  
definitions; 9 CSR 25-2.005; 8/1/03, 11/17/03  
purchasing client services; 9 CSR 25-2.105; 8/1/03, 11/17/03  
request for proposal  
development; 9 CSR 25-2.205; 8/1/03, 11/17/03  
evaluation and award; 9 CSR 25-2.405; 8/1/03, 11/17/03  
solicitation procedures; 9 CSR 25-2.305; 8/1/03, 11/17/03  
mental retardation and developmental disabilities  
certification; 9 CSR 45-5.060; 5/1/03, 9/2/03  
psychiatric and substance abuse programs  
governing authority and administration; 9 CSR 10-7.090; 5/1/03, 9/2/03  
Privacy Rule; 9 CSR 10-5.220; 5/1/03, 9/2/03  
purchasing client services; 9 CSR 25-2.105; 11/1/02, 4/1/03  
rules under consideration; 9 CSR 45-5; 7/15/03  
SATOP  
fees, supplemental; 9 CSR 30-3.208; 9/2/03  
program structure; 9 CSR 30-3.206; 9/2/03

**MILK BOARD, STATE**

inspection fees; 2 CSR 80-5.010; 4/1/03, 7/15/03

**MOTOR VEHICLE**

application for title; 12 CSR 10-23.436; 8/1/03, 9/2/03, 11/17/03  
dealer monthly reports; 12 CSR 10-23.050, 12 CSR 10-26.190; 8/1/03, 11/17/03  
documents accepted as a release of lien; 12 CSR 10-23.458; 8/1/03, 11/17/03  
historic vehicle license; 12 CSR 10-23.444; 8/1/03, 11/17/03  
leasing company registration; 12 CSR 10-23.424; 11/17/03  
marking, use of commercial plates; 12 CSR 10-23.300; 8/1/03, 11/17/03  
marine application; 12 CSR 10-23.456; 7/1/03, 11/3/03  
notice of lien; 12 CSR 10-23.446; 5/15/03  
power of attorney requirements; 12 CSR 10-23.420; 8/1/03, 11/17/03  
recreational vehicles, certificate of title, 2 manufacturers; 12 CSR 10-23.370; 8/1/03, 11/17/03  
registration, motorcycles, motortricycles; 12 CSR 10-23.330; 8/1/03, 11/17/03  
temporary permits; 12 CSR 10-26.180; 6/16/03, 10/15/03

**MOTOR VEHICLE INSPECTION**

brake components; 11 CSR 50-2.160; 10/15/03  
definitions; 11 CSR 50-2.010; 10/15/03  
glazing (glass); 11 CSR 50-2.270; 10/15/03  
homemade trailers; 11 CSR 50-2.430; 4/1/03, 7/1/03  
inspection station  
permits; 11 CSR 50-2.050; 10/15/03  
requirements; 11 CSR 50-2.020; 10/15/03  
off-highway use vehicles (ATV-OHV); 11 CSR 50-2.340; 10/15/03  
school bus inspection; 11 CSR 50-2.320; 10/15/03  
steering mechanisms; 11 CSR 50-2.200; 10/15/03  
vehicle identification, odometer reading; 11 CSR 50-2.440; 4/1/03, 7/1/03

**NEWBORN SCREENING HEARING PROGRAM**

methodologies and procedures; 19 CSR 40-9.020; 3/3/03, 6/16/03

**NURSING HOME ADMINISTRATORS, BOARD OF**

complaints, public; 19 CSR 73-2.085; 3/3/03, 7/1/03  
course of instruction; 19 CSR 73-2.031; 3/3/03, 7/1/03  
disciplinary action; 19 CSR 73-2.090; 3/3/03, 7/1/03  
fees; 19 CSR 73-2.015; 3/3/03, 7/1/03  
licensure; 19 CSR 73-2.020; 3/3/03, 7/1/03  
by reciprocity; 19 CSR 73-2.025; 3/3/03, 7/1/03  
organization; 19 CSR 73-1.010; 3/3/03, 7/1/03  
renewal of license; 19 CSR 73-2.050; 3/3/03, 7/1/03  
expired; 19 CSR 73-2.055; 3/3/03, 7/1/03  
standards of professional conduct; 19 CSR 73-2.095; 3/3/03, 7/1/03  
status, retired licensure; 19 CSR 73-2.051; 3/3/03, 7/1/03  
temporary emergency license; 19 CSR 73-2.080; 3/3/03, 7/1/03  
training agencies, registration; 19 CSR 73-2.060; 3/3/03, 7/1/03

**NURSING, STATE BOARD OF**

advanced practice nurse; 4 CSR 200-4.100; 7/15/03, 11/17/03  
fees; 4 CSR 200-4.010; 3/17/03, 7/1/03  
graduate temporary permit; 4 CSR 200-4.021; 7/15/03, 11/17/03

**ORGANIC PROGRAM**

advisory board; 2 CSR 70-16.020; 2/18/03, 7/1/03  
certificates issued; 2 CSR 70-16.050; 2/18/03, 7/1/03  
certifying agent; 2 CSR 70-16.075; 2/18/03, 7/1/03  
complaints, investigations; 2 CSR 70-16.040; 2/18/03, 7/1/03  
compliance enforcement; 2 CSR 70-16.045; 2/18/03, 7/1/03  
definitions; 2 CSR 70-16.010; 2/18/03, 7/1/03  
inspections, sampling  
certification; 2 CSR 70-16.035; 2/18/03, 7/1/03  
registration; 2 CSR 70-16.065; 2/18/03, 7/1/03  
marketing; 2 CSR 70-16.070; 2/18/03, 7/1/03  
NOP standards; 2 CSR 70-16.015; 2/18/03, 7/1/03  
procedures, certification; 2 CSR 70-16.025; 2/18/03, 7/1/03  
records; 2 CSR 70-16.030; 2/18/03, 7/1/03  
registration; 2 CSR 70-16.060; 2/18/03, 7/1/03  
seal; 2 CSR 70-16.055; 2/18/03, 7/1/03

**PAYROLL DEDUCTIONS, STATE OF MISSOURI, VENDOR**

dues, labor organizations; 1 CSR 10-4.010; 9/15/03

**PEACE OFFICER STANDARDS AND TRAINING (POST) PROGRAM**

basic training curricula, objectives; 11 CSR 75-14.030; 6/2/03, 9/15/03  
cause to discipline; 11 CSR 75-13.090; 10/15/03  
instructors  
basic requirements; 11 CSR 75-14.080; 6/2/03, 9/15/03  
peace officer licenses  
classification; 11 CSR 75-13.010; 6/2/03, 9/15/03  
notification of change in status; 11 CSR 75-13.100; 6/3/02, 9/3/02

**PERSONNEL ADVISORY BOARD**

broad classification for bands of managers; 1 CSR 20-2.015; 9/15/03  
leaves of absence; 1 CSR 20-5.020; 9/15/03  
separation, suspension, demotion; 1 CSR 20-3.070; 9/15/03

**PHARMACY PROGRAM**

reimbursement allowance; 13 CSR 70-20.320; 3/3/03, 7/1/03  
sterile pharmaceuticals; 4 CSR 220-2.200; 1/2/03, 6/16/03

**PHARMACY, STATE BOARD OF**

automated dispensing, storage system; 4 CSR 220-2.900; 3/17/03, 8/15/03



compounding standards; 4 CSR 220-2.400; 1/2/03, 6/16/03  
drug distributor; 4 CSR 220-5.020; 7/1/03  
drug repackaging; 4 CSR 220-2.130; 3/3/03, 7/1/03  
standards of operation; 4 CSR 220-2.010; 8/1/02, 3/17/03, 8/15/03  
sterile pharmaceuticals; 4 CSR 220-2.200; 1/2/03, 6/16/03

#### **PHYSICAL THERAPISTS/ASSISTANTS**

fees; 4 CSR 150-3.080; 7/15/03, 11/17/03  
licensure fees; 4 CSR 150-3.170; 7/15/03, 11/17/03

#### **PROFESSIONAL REGISTRATION, DIVISION OF**

designation of license renewal dates; 4 CSR 231-2.010; 7/15/03, 11/17/03

#### **PSYCHOLOGISTS, STATE COMMITTEE OF**

fees; 4 CSR 235-1.020; 3/17/03, 7/1/03

#### **PUBLIC DRINKING WATER PROGRAM**

abatement orders; 10 CSR 60-6.050; 4/15/03, 10/15/03  
analysis, procedures; 10 CSR 60-5.010; 5/15/03  
contaminant levels  
  disinfection by-products; 10 CSR 60-4.090; 4/15/03, 10/15/03  
  inorganic chemicals; 10 CSR 60-4.030; 4/15/03, 10/15/03  
  maximum; 10 CSR 60-4.010; 5/15/03  
  microbiological; 10 CSR 60-4.020; 4/15/03, 10/15/03  
  secondary; 10 CSR 60-4.070; 4/15/03, 10/15/03  
  synthetic organic chemicals; 10 CSR 60-4.040; 4/15/03, 10/15/03  
  turbidity and backwash recycling; 10 CSR 60-4.050; 4/15/03, 10/15/03  
  volatile organic chemicals; 10 CSR 60-4.100; 4/15/03, 10/15/03  
definitions; 10 CSR 60-2.015; 4/15/03, 10/15/03  
disinfection requirements; 10 CSR 60-4.055; 4/15/03, 10/15/03  
notification, public; 10 CSR 60-8.010; 4/15/03, 10/15/03  
records, requirements for maintaining; 10 CSR 60-9.010; 4/15/03, 10/15/03  
reporting requirements; 10 CSR 60-7.010; 4/15/03, 10/15/03  
reports, consumer confidence; 10 CSR 60-8.030; 4/15/03, 10/15/03

#### **PUBLIC SERVICE COMMISSION**

caller ID blocking service  
  definitions; 4 CSR 240-32.180; 11/3/03  
  standards; 4 CSR 240-32.190; 11/3/03  
discontinuance of service; 4 CSR 240-33.070; 12/2/02, 6/2/03  
electric utilities  
  cogeneration tariff filings; 4 CSR 240-3.155; 9/2/03  
  cold weather report, submission; 4 CSR 240-3.180; 9/16/02, 3/3/03, 6/2/03, 11/3/03  
  net metering; 4 CSR 240-20.065; 4/15/03, 7/15/03  
  reporting requirements; 4 CSR 240-3.190; 11/17/03  
gas utilities  
  cold weather report, submission; 4 CSR 240-3.250; 9/16/02, 3/3/03, 6/2/03, 11/3/03  
  natural gas price volatility mitigation; 4 CSR 240-40.018; 6/2/03, 11/3/03  
  petitions for infrastructure system replacement surcharges; 4 CSR 240-3.265; 11/3/03  
manufactured homes  
  inspection fee; 4 CSR 240-120.140; 2/18/03, 3/17/03, 6/16/03  
  modular units; 4 CSR 240-123.095; 6/2/03, 8/15/03  
  new; 4 CSR 240-120.085; 6/2/03, 8/15/03  
  pre-owned; 4 CSR 240-121.065; 6/2/03, 8/15/03  
  seals; 4 CSR 240-123.030; 2/18/03, 6/16/03  
Missouri Universal Service Fund  
  assessments for funding; 4 CSR 240-31.060; 12/2/02, 6/2/03  
  collection of surcharge from end-user subscribers; 4 CSR 240-31.065; 12/2/02, 6/2/03  
  definitions; 4 CSR 240-31.010; 12/2/02, 6/2/03

  eligibility for funding; 4 CSR 240-31.050; 12/2/02, 6/2/03  
  safety standards; 4 CSR 240-18.010; 11/17/03  
  steam heating, rate case procedure; 4 CSR 240-3.440; 11/3/03  
  water utility  
    petitions for infrastructure system replacement surcharges; 4 CSR 240-3.650; 11/3/03

#### **REAL ESTATE COMMISSION**

license examinations; 4 CSR 250-3.020; 10/15/03  
requirements; 4 CSR 250-10.010; 10/15/03  
retention of records; 4 CSR 250-8.160; 10/15/03

#### **RECORDS MANAGEMENT**

administration; 15 CSR 30-45.030; 3/3/03, 6/16/03  
MHRAB regnant program; 15 CSR 30-45.040; 11/17/03

#### **RETIREMENT SYSTEMS**

county employees' deferred compensation plan  
  limitations on deferral; 16 CSR 50-20.050; 10/1/03  
  participation in the plan; 16 CSR 50-20.030; 10/1/03  
county employees' defined contribution plan  
  benefits, normal retirement; 16 CSR 50-2.090; 1/16/03, 5/1/03  
  employee contributions; 16 CSR 50-2.020; 1/16/03, 5/1/03  
  normal retirement benefit; 16 CSR 50-2.090; 6/2/03, 9/15/03  
  payment of benefits; 16 CSR 50-2.035; 6/2/03, 9/15/03  
non-teacher school employee retirement  
  employment; 16 CSR 10-6.010; 10/1/03  
  reinstatement, credit purchases; 16 CSR 10-6.045; 10/1/03  
  service retirement; 16 CSR 10-6.060; 10/1/03  
organization; 16 CSR 10-1.010; 3/17/03, 7/1/03  
public school retirement  
  membership requirements; 16 CSR 10-4.005; 10/1/03  
  payment for reinstatement, credit purchases; 16 CSR 10-4.012; 10/1/03  
  reinstatement, credit purchases; 16 CSR 10-4.014; 10/1/03  
  service retirement; 16 CSR 10-5.010; 10/1/03

#### **SECRETARY OF STATE**

business services  
  redaction of Social Security numbers and birth dates; 15 CSR 30-80.010; 5/15/03, 9/2/03  
organization; 15 CSR 30-1.010; 11/17/03

#### **SECURITIES, DIVISION OF**

application  
  renewal, sales representative; 15 CSR 30-59.060; 3/17/03, 7/15/03  
  registration; 15 CSR 30-52.015; 10/1/03  
  registration or notice filings; 15 CSR 30-51.020; 3/17/03, 7/15/03, 10/1/03  
bank, savings institution, trust company; 15 CSR 30-54.030; 10/1/03  
bonds, broker-dealer, sales representative; 15 CSR 30-59.050; 3/17/03, 7/15/03  
compensation arrangements  
  investment advisors; 15 CSR 30-51.145; 10/1/03  
completion; 15 CSR 30-52.310; 10/1/02, 1/16/03, 2/18/03  
confirmations; 15 CSR 51.110; 10/1/03  
custody of securities or funds; 15 CSR 30-51.100; 10/1/03  
debt securities; 15 CSR 30-52.120; 10/1/03  
definitions; 15 CSR 30-50.010; 10/1/03  
examination requirements; 15 CSR 30-51.030; 10/1/03  
exemptions  
  15 transactions in 12 months; 15 CSR 30-54.140; 10/1/03  
  accredited investor; 15 CSR 30-54.215; 10/1/03  
  agricultural cooperative association; 15 CSR 30-54.190; 10/1/03

Canadian-U.S. cross-border trading; 15 CSR 30-54.290; 10/1/03  
 first 25 persons; 15 CSR 30-54.130; 10/1/03  
 foreign issuer; 15 CSR 30-54.260; 10/1/03  
 general; 15 CSR 30-54.010; 3/17/03, 7/15/03  
 institutional buyer; 15 CSR 30-54.125; 10/1/03  
 limited offering; 15 CSR 30-54.130; 10/1/03  
 manual; 15 CSR 30-54.100; 10/1/03  
 Missouri issuer; 15 CSR 30-54.240; 11/17/03  
 Missouri qualified fund; 15 CSR 30-54.250; 10/1/03  
 mortgage note; 15 CSR 30-54.120; 10/1/03  
 new generation processing entity; 15 CSR 30-54.190; 10/1/03  
 notice filing for transactions under Regulation D; 15 CSR 30-54.210; 10/1/03  
 not-for-profit securities; 15 CSR 30-54.070; 3/17/03, 7/15/03  
 offers to existing security holders; 15 CSR 30-54.160; 10/1/03  
 preeffective offer; 15 CSR 30-54.170; 10/1/03  
 reporting company securities; 15 CSR 30-54.183; 10/1/03  
 stock exchange listed securities; 15 CSR 30-54.060; 3/17/03, 7/15/03  
 tax credit; 15 CSR 30-54.280; 11/17/03  
 transactions, quotation systems; 15 CSR 30-54.220; 3/17/03, 7/15/03, 10/1/03  
 transactions, Regulation D; 15 CSR 30-54.210; 3/17/03, 7/15/03  
 unit investment trust units; 15 CSR 30-54.230; 11/17/03  
 unsolicited order to buy; 15 CSR 30-54.110; 10/1/03  
 fees; 15 CSR 30-50.030; 10/1/03  
 financial statements; 15 CSR 30-51.040, 15 CSR 30-52.025; 10/1/03  
 forms; 15 CSR 30-50.040; 10/1/03  
 fraudulent practices  
   broker-dealers, agents; 15 CSR 30-51.169; 10/1/03  
   general; 15 CSR 30-54.010; 10/1/03  
   government issued or guaranteed securities; 15 CSR 30-54.020; 10/1/03  
 hearings under Securities Act  
   answers and supplementary pleadings; 15 CSR 30-55.030; 10/1/03  
   discovery; 15 CSR 30-55.080; 10/1/03  
   instituting hearing before commissioner; 15 CSR 30-55.020; 10/1/03  
   motions, suggestions, legal briefs; 15 CSR 30-55.110; 10/1/03  
   notice of; 15 CSR 30-55.040; 10/1/03  
   officers; 15 CSR 30-55.220; 10/1/03  
   prehearing conferences; 15 CSR 30-55.050; 10/1/03  
   prehearing procedures; 15 CSR 30-55.025; 10/1/03  
   procedure at hearing; 15 CSR 30-55.090; 10/1/03  
   public hearing; 15 CSR 30-55.060; 10/1/03  
   record of hearing; 15 CSR 30-55.070; 10/1/03  
   subpoenas; 15 CSR 30-55.100; 10/1/03  
   who may request; 15 CSR 30-55.010; 10/1/03  
 impoundments of proceeds; 15 CSR 30-52.100; 10/1/03  
 instructions, general; 15 CSR 30-59.020; 3/17/03, 7/15/03  
   15 CSR 30-50.020, 15 CSR 51.010; 10/1/03  
 investment advisors  
   minimum net worth requirements; 15 CSR 30-51.070; 10/1/03  
   investment letter, suggested form; 15 CSR 30-54.150; 10/1/03  
   mortgage revenue bonds; 15 CSR 30-52.340; 10/1/03  
   NASAA statement of policy; 15 CSR 30-52.030; 10/1/03  
   exemptions; 15 CSR 30-54.070; 10/1/03  
   net capital deficiency; 15 CSR 30-51.060; 10/1/03  
   net capital requirements; 15 CSR 30-51.050; 10/1/03  
   networking arrangements; 15 CSR 30-51.165; 10/1/03  
 notice filings  
   investment companies; 15 CSR 30-54.015; 3/17/03, 7/15/03, 10/1/03  
 offer of refund; 15 CSR 30-52.200; 10/1/03

suggested form of (rescission); 15 CSR 30-52.260; 10/1/03  
 prospectus; 15 CSR 30-52.020; 10/1/03  
 promotional materials; 15 CSR 30-53.010; 10/1/03  
 provisions, general; 15 CSR 30-52.010; 10/1/03  
 records required  
   broker-dealers; 15 CSR 51.120; 10/1/03  
   investment advisors; 15 CSR 51.140; 10/1/03  
 records to be preserved by  
   broker-dealers; 15 CSR 51.130; 10/1/03  
   investment advisors; 15 CSR 30-51.150; 10/1/03  
   issuers; 15 CSR 30-52.330; 10/1/03  
 registration  
   denial, revocation, suspension; 15 CSR 30-51.170; 10/1/03  
   exemptions from; 15 CSR 30-51.180; 10/1/03  
   withdrawal of; 15 CSR 30-52.280; 10/1/03  
 registration statement  
   annual report; 15 CSR 30-52.320; 10/1/03  
   post-effective amendments; 15 CSR 30-52.300; 10/1/03  
   report of completion; 15 CSR 30-52.310; 10/1/03  
 requirements; 15 CSR 30-51.160; 10/1/02, 1/16/03, 10/1/03;  
   15 CSR 30-59.170; 3/17/03, 7/15/03  
 securities  
   bank, savings institution, trust company; 15 CSR 30-54.030; 10/1/03  
   commercial paper; 15 CSR 30-54.080; 10/1/03  
   employees' benefit plan; 15 CSR 30-54.090; 10/1/03  
   federal savings, loan association, state building and loan; 15 CSR 30-54.040; 10/1/03  
   not-for-profit; 15 CSR 30-54.070; 10/1/03  
   railroad, common carrier, public utility, holding company; 15 CSR 30-54.050; 10/1/03  
   segregation of accounts; 15 CSR 30-51.090; 10/1/03  
   small company offering registrations; 15 CSR 30-52.275; 10/1/03  
   solicitation of interest; 15 CSR 30-54.175; 11/17/03  
   stock exchange listed securities; 15 CSR 30-54.060; 10/1/03

#### **SENIOR SERVICES, DIVISION OF**

funding formula; 19 CSR 15-4.050; 5/1/03, 8/15/03  
 state long-term care ombudsman program; 19 CSR 15-4.060; 10/15/03

#### **SOIL AND WATER DISTRICTS COMMISSION**

state-funded cost-share program  
 cost share rates; 10 CSR 70-5.040; 8/1/03, 11/3/03

#### **TATTOOING, BODY PIERCING AND BRANDING**

practitioners, temporary; 4 CSR 267-4.020; 5/15/03

#### **TAX, SALES/USE**

caterers, mandatory gratuities; 12 CSR 10-3.046; 8/1/03, 11/17/03  
 confidential tax data; 12 CSR 10-3.486; 8/1/03, 11/17/03  
 farm machinery; 12 CSR 10-110.900; 5/1/03, 9/15/03  
 fees paid in or to places of amusement; 12 CSR 10-3.176; 8/1/03, 11/17/03  
 food stamps, WIC vouchers; 12 CSR 10-3.120; 8/1/03, 11/17/03  
 lien releases, payment of filing fees; 12 CSR 10-3.836; 8/1/03, 11/17/03  
 manufacturing equipment; 12 CSR 10-111.010; 5/1/03, 9/15/03  
 sales by employers to employees; 12 CSR 10-3.036; 8/1/03, 11/17/03  
 tax liens; 12 CSR 10-3.838; 8/1/03, 11/17/03

#### **UNEMPLOYMENT INSURANCE**

charging benefits to employers; 8 CSR 10-3.085; 10/1/03  
 direct deposit, benefits; 8 CSR 10-3.130; 5/15/03, 9/2/03  
 registration, claims; 8 CSR 10-3.010; 3/17/03, 7/1/03

#### **VETERINARY MEDICAL BOARD, MISSOURI**

application; 4 CSR 270-1.031; 5/1/03, 8/15/03  
 complaint handling; 4 CSR 270-7.010; 5/1/03, 8/15/03

education, continuing; 4 CSR 270-4.042; 5/1/03, 8/15/03  
fees; 4 CSR 270-1.021; 5/1/03, 8/15/03  
licensure (exemption); 4 CSR 270-2.051; 5/1/03, 8/15/03  
practice techniques, standards; 4 CSR 270-4.031; 5/1/03, 8/15/03  
supervision, standards; 4 CSR 270-4.060; 5/1/03, 8/15/03

**VOTING PROCEDURES**

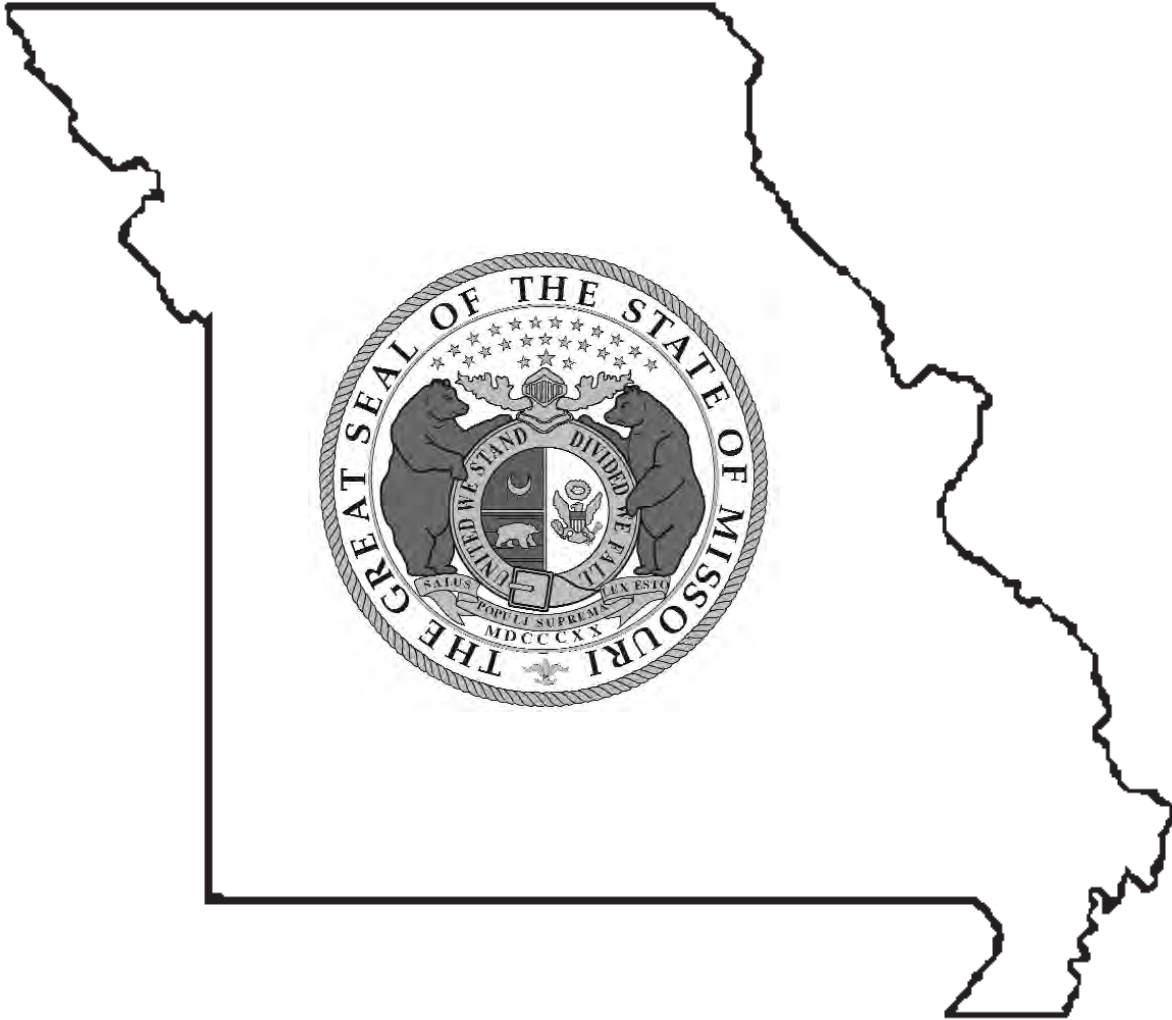
HAVA grievance procedure; 15 CSR 30-12.010; 11/3/03  
provisional ballots to be counted; 15 CSR 30-8.020; 11/3/03  
verification; 15 CSR 30-8.030; 11/3/03

**WORKERS COMPENSATION**

review of awards, orders by ALJs; 8 CSR 20-3.030; 2/18/03,  
7/1/03

# RULEMAKING 1-2-3

## MISSOURI STYLE



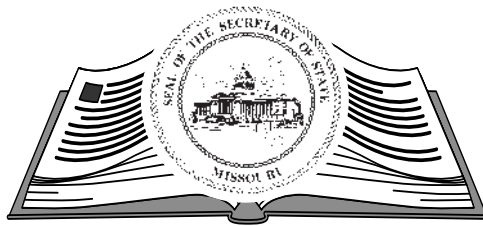
**MATT BLUNT**  
**SECRETARY OF STATE**

The Administrative Rules Division has copies of the Rulemaking Manual available for state agencies to assist in preparing all types of rulemakings.

For information about rule drafting classes call (573) 751-4015.



The *official*  
source of  
information on  
Missouri state  
regulations



Contact us at: phone: (573) 751-4015 or e-mail: [rules@sosmail.state.mo.us](mailto:rules@sosmail.state.mo.us)

#### ORDER FORM

- ☐ Enclosed is my check for \$56 as payment in advance for one year of the *Missouri Register*  
Please start my subscription with the \_\_\_\_\_ issue.
- ☐ Enclosed is my check for \$330 for the *Code of State Regulations*
- ☐ This is a subscription renewal

Please make checks payable to: **Secretary of State** or alternatively call us to charge your MasterCard or Visa

Mail to: MATT BLUNT  
SECRETARY OF STATE  
ADMINISTRATIVE RULES DIVISION  
PO Box 1767  
JEFFERSON CITY, MO 65102

\_\_\_\_\_  
name or firm (please type or print)

\_\_\_\_\_  
attn:

\_\_\_\_\_  
PO box number

\_\_\_\_\_  
street address

\_\_\_\_\_  
city

\_\_\_\_\_  
state

\_\_\_\_\_  
zip

## Have a Safe and Happy Thanksgiving

(Please consider filing your rules early during the holidays so that your agency can meet publication deadlines as published in the front of the *Missouri Register*.)



Office of the Secretary of State

# MATT BLUNT

11/17/03

**MATT BLUNT**

SECRETARY OF STATE

PO Box 1767

JEFFERSON CITY, MO 65102

Periodical  
Postage Paid at  
Jefferson City,  
MO